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MIDDLE EAST DISENGAGEMENT
MORE SUBSTITUTES FOR PEACE ***Michael Reisman***

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LETTERS

resort to violence

North Hollywood, Calif.

DEAR SIRS: The tragic kidnapping of Patricia Hearst and the bizarre demands of the snatchers raise some interesting points not handled by simplistic psychiatrists nor the even more shallow news media. . . . The perpetrators of the Hearst kidnapping are no more schizophrenic or sociopathic than the assassins of Premier Carrero Blanco in Madrid. Both resorted to extreme violence to attain a political end, desperate and frustrated that other means to gain social equity don't seem to work. Whether such bloody leftism will have a lasting backlash in shaky Spain, and fortify a fascism that is under attack even from the Catholic Church, is moot indeed. In America, however, the result of this and similar Weatherman assaults upon people and property can only unite a timorous public and herd them more readily into the "safety" of a garrison state. A formerly hated name has become overnight a designation of widespread sympathy, with an overtone of outrage. *John Bright*

sun, wind and Indians

Minneapolis, Minn.

DEAR SIRS: It now seems that we will wish to utilize all possible sources of power, especially wind and sun. . . . Solar and wind power would be more nearly competitive if developed under a policy of public ownership in the development and distribution of solar collectors and windmill generators on a nonprofit basis. Such public industries could be established, for example, to provide employment in several Indian communities, thus producing the product in rural areas in the midst of the largest potential market.

No doubt, we would hear the usual warnings about "creeping socialism" and all that claptrap. May I remind readers that the first public industry operated at cost was that of the fur trade with Indians under the administration of George Washington. Unfortunately, private fur trading was also permitted; and so the Astor interests captured the trade with easy credit and whiskey. . . .

James M. Youngdale

also Down Under

Middletown, Conn.

DEAR SIRS: Brian McGuire writes ["Quandary of Affluence: The Danish Applecart," *The Nation*, Feb. 23]: "Scandinavia is still the only part of the world where liberal democracy and the welfare state have been able to maintain a somewhat harmonious marriage." I've lived in New Zealand and, even though Labour was long out of power there, its laws were so well preserved that it should be added to the list of successes. *Tertius Chandler*

flying services

DEAR SIRS: I write to invite *Nation* readers and their friends to a once-in-a-lifetime experience—a Peace Seminar to Europe in July. We fly from New York on the evening of July 8 and stop in Scandinavia to see top government officials. Then we fly on to Leningrad, arriving July 12, staying until July 15, then flying to Moscow, where we remain until July 20. Next we fly to Germany and then go on to London where we stay until the afternoon of July 29. We confer with members of Parliament, then fly back to New York.

The cost for everything—air fare, hotels, meals, autos—New York to New York is only $1,495. The undersigned, former president of the American Federation of Teachers and president of the Eastern Sociological Society, makes nothing from the seminar; he donates his services. Since the number that can be taken is limited, write to me at once: Friends House, Apt. C-25, Sandy Springs, Md. 20860.

Jerome Davis
Promoting Enduring Peace

EDITORIALS

Message from Michigan

The returns from the special election in Michigan were, as one reporter put it, "teeth-rattling." The 5th C.D., which Vice President Gerald Ford represented for a quarter century, has been safely Republican since 1910. Yet a colorless Democratic nominee captured 53 per cent of the vote. With good reason the GOP top command is all shook up. The returns left Vice President Ford "just a little bit frightened"; Rep. John J. Rhodes, Republican leader in the House, acknowledged that the party "took a kicking." Rep. John Anderson of Illinois, who has decided not to run for the Senate this year, reports that his Republican colleagues are "gloomy and apprehensive." Sen. William Brock concedes that Republicans "are in a bind" and Senator Javits feels that the party is in "grave danger . . . no single seat is safe."

Some time back the conservative newsletter, *Human Events*, concluded that if the Democrats won two of this year's five special elections—given the constituencies in question—they would have to be conceded "a major victory." The Democrats have done so already, and their chances are not hopeless by any means in the March 5th special election in Ohio's 1st C.D. and later in Michigan's 8th C.D. and California's 13th C.D., although all three went heavily Republican in 1972. Worth noting is the fact, pointed out by Lou Cannon in *The Washington Post*, that post-Watergate elections have shown a sharp drop in the GOP turnout. It fell by 49 per cent in the special election in Maryland's 12th C.D. in 1973, by 32 per cent in the 12th C.D. in Pennsylvania, where the Democrats picked up a seat which the Republicans had held for twenty-four years, and by 55 per cent in the Michigan election. The Democratic declines were, respectively, 19, 1 and 7 per cent.

The Republican defeat in Michigan was the first unequivocal "message" that voters have sent to Congress on impeachment since the recess. While the Democratic victory does not necessarily register sentiment on impeachment, it has this practical political meaning in the context of the campaign. The key issue, as the expert who ran the Democratic campaign points out, was not Watergate but Nixon. That is why the President's press conference talk about "peace and prosperity" will not appease his critics. As the post-Watergate decline in Republican support indicates, a large section of the party faithful would like to call back the votes they cast for Nixon in 1972. Their attitude is dramatized by the action of James A. Lemon, the Falls Church mail carrier—salary $11,000 a year—a lifelong Republican, who paid $1,135.60 of his own money for an ad in the Washington *Star-News* in which he told Nixon he was taking his vote back. For him the last straw was Nixon's performance at the Lincoln Memorial. "It's a wonder," he says, "that Lincoln's statue didn't topple over." With different last straws, other Republicans—and other voters—have reached the same conclusion. By nearly 3 to 1 (Harris poll) the people want the impeachment proceeding to be carried forward. They are more concerned about fairness and thoroughness than

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speed, but they want the charges investigated. Small wonder, then, that the Michigan returns immediately firmed up the resolve of those pushing impeachment in the House.

The President will find it difficult to reverse the Michigan tide precisely because *he* has become the issue. Ironically, he continues to stress, as in his most recent press conference, that he, Richard Nixon, is the prime, the sole issue. The preservation of the Presidency—meaning his continued occupancy of the office—takes precedence over every other consideration. He arrogates to himself the right to define impeachment. He determines whether he will or will not testify. With a wave of his hand, he assures us that the energy crisis is over, though the problem remains; he says nothing, however, about the political mismanagement that helped bring on the crisis or the even more apparent ineptness of his Administration in coping with it. The nation is asked to believe that the crisis is over because he says it is over. A very priest in office, he bids the tempests of inflation and recession to subside. "Apparently," his gift of papers was not signed until after the deadline (wasn't he the signer?). Viewing such a performance, it is no wonder that voters, frustrated by their inability to do much about domestic issues, including Watergate, should now have made Nixon the target of their discontent.

In balancing the hazards of impeachment against those of keeping Nixon in office for three more years, the scales have finally tipped against the President. His credibility is shattered. His influence on Congress has declined on both sides of the aisle and the Democrats will be even more firmly in command come November. Key personnel continue to leave Washington and even barely adequate replacements are in short supply. Political decisions are made as they have been since 1969, namely, by the President alone; the number of aides who have access to the Oval Office is less than it was in the heyday of Haldeman-Ehrlichman. Laird has left, Harlow is leaving and Shultz is unhappy. In the absence of strong Presidential leadership, agency heads quarrel and contradict one another in public; witness spats between Shultz and Butz, between Simon and Ash. During a serious national emergency—the strike of independent truckers—the President maintained a profile so low that he could be neither seen nor heard. Gov. Milton Shapp of Pennsylvania therefore moved in and worked out a settlement, although the President refused to see him. With motorists lined up at the pumps, Gov. Tom McCall of Oregon acted. Faced with such incompetence in the White House, the disruptive effects of impeachment are less frightening than they may once have seemed.

What Congress now realizes is that it faces a novel situation, in which the fate of each member is likely to turn on one vote on a single issue. For Republicans in particular this poses a dreadful dilemma. If they vote for impeachment, they risk the loss of funds, manpower and the support of the hard-core of party faithful. If they vote against it, they risk losing the independent, anti-Nixon and any possible Democratic votes. Since the President has told them that he will not resign regardless of what his refusal may do to the Republican Party and to Republican incumbents, some of them just might decide to let the Senate judge him.

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The Nation is published weekly (except biweekly in July and August) by the Nation Company and copyright 1974 in the U.S.A. by the Nation Associates, Inc., 333 Sixth Avenue, New York, N. Y. 10014. Tel: CH 2-8400. Second class postage paid at New York, N. Y.

Subscription Price: One year $15; two years, $27.50. Add $1 per year postage for Canada and Mexico; $2 other foreign.

Change of Address: It is essential that subscribers ordering a change of address give four weeks' notice and provide their old as well as their new address. Please give Zip Code numbers for both addresses.

Manuscripts. All work submitted will be read by the editors. The magazine cannot, however, be responsible for the return of unsolicited manuscripts unless they are accompanied by stamped, self-addressed envelopes.

Information to Libraries: The Nation is indexed in Readers' Guide to Periodical Literature, Book Review Digest, Book Review Index and the Public Affairs Information Service.

THE NATION

Volume 218
No. 10

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Aftermath of the Kidnappings

Prior to the San Francisco and Atlanta kidnappings, it seemed—thanks largely to the Watergate disclosures—that substantial headway might be made in dismantling domestic political intelligence setups of various kinds. The Huston plan had been dropped because J. Edgar Hoover objected to it, and Hoover, for whatever reasons, had abandoned his own pet FBI counterintelligence project. At the same time, the Defense Department was under pressure from the publicity attendant upon various investigations to curb its activities in the same field. More important, the "national security" tag used to rationalize such operations has fallen into disrepute because of the exposure of "the plumbers" and similar projects.

This salutary trend may now be reversed. It will be argued that tightly knit organizations engaged in political terrorism such as the Symbionese Liberation Army make police counterintelligence imperative, if only to prevent acts of violence. By all accounts, the police knew little about the SLA. Even before the recent kidnappings, the director of the FBI had asserted the need for a new domestic political intelligence program; now the demand will doubtless grow. But neither the FBI nor local police need special authorization to engage in counterintelligence for the limited purpose of preventing crimes of violence.

What is to be avoided is the formal institutionalization of such programs, as by setting up special agencies within the FBI or the police to carry on systematic political counterintelligence activities. Once that is done, surveillance becomes an end in itself and, as past experience clearly indicates, Left political groups that have expressly repudiated violence or terrorism will be victimized. Yet, given the publicity the San Francisco and Atlanta kidnappings have received, a climate of fear may be created which will stimulate the demand for a revival of special police units authorized to engage in political surveillance, along with the use of informers and *agents provocateurs*. Worse, there is a danger that massive news coverage of the kidnappings may well bring on an epidemic of acts of political terror, in much the same way that media exposure stimulated hijackings. In both cases the media spread the idea and to some extent demonstrated the techniques of violence. (Even when, as apparently in Atlanta, imitators of the techniques were not themselves politically motivated.)

It is easy enough to say that in the long run social justice is the basic prerequisite of social order, but such breeding places of violence and frustration as black ghettos and prisons cannot be emptied overnight, and in the meantime the public demands measures that, if adopted, might well result in still more violence. Less perilous responses are usually available. When hijackings became frequent, it was well-nigh impossible to win acceptance for the notion that frisking passengers and hand luggage might have a deterrent effect. Yet once this basic security measure was adopted, hijackings fell from forty attempts in this country in 1969 to none last year.

In much the same fashion, the suggestion that banning hand guns might have some deterrent effect on kidnappings and other acts of political terror will be dismissed as ridiculous. The first reaction to the Hearst kidnapping in the Bay Area was a boom in the sale of hand guns. Banning such weapons would not in itself put a stop to political terror, but it would almost certainly help. On the other hand, a revival of police state methods on a formal, institutionalized basis would probably lead to an increase in the kind of violence it is supposed to suppress.

Part of the problem is that hijackings and kidnappings, which involve the seizure of hostages, inspire popular fears that result in demands for counter-terror. Accordingly, such measures as frisking plane passengers and picking up hand guns sound inadequate and puerile. But they should not be dismissed out of hand. What also might help would be the emergence of a strong, well-organized political party of the Left—a party of democratic socialism with a coherent program. A revival of repressive measures would only further fragment the Left and handicap efforts to build a responsible Left opposition.

At the Justice Department

By what it does—or doesn't do—the Department of Justice probably has a greater potential for control over individual Americans than any other agency of the federal government. The political nature of that control was exposed by the department's failure to prosecute vigorously those involved in the Watergate scandals. As a result of Watergate, an increasing number of Americans have come to recognize that, in its more routine actions, too, the department's legally defined duties have been guided by the wishes of Nixon and his wealthy supporters.

That was the conclusion of many of the participants in a recent Committee for Public Justice inquiry into the operations of the Justice Department. At a three-day session in Washington, a strong case was made against the idea that the Justice Department is an agent of popular law. One by one, participants examined the department's record in many of its roles and found abuses of power. And though some pointed out that such department abuses were not unique to this Administration, they noted that the covert use of the department for parochial, self-serving ends has never been more prevalent than it has been under Nixon.

One proposal that came out of the Washington conference deserves particular attention: establishment of a permanent special prosecutor's office. As suggested at the conference, the special prosecutor would be appointed by the President—with Senate confirmation—for a six-year term. He or she would have jurisdiction over violations of federal election and lobbying laws and other criminal acts by present and past government officials. The special prosecutor would also have one other key duty—continued monitoring of department performance.

Along with rigorous Congressional oversight and enforcement of professional and ethical standards, the special prosecutor's office just might provide the fail-safe mechanism the department requires. Such reforms probably would not alter what has been the essentially political nature of the department, to say nothing of eliminating political tendencies within the proposed office itself, but they might put some restraint on abuses of executive power in the administration of law. CLAY STEINMAN

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New Energy

Washington, D.C.

The media seemed not much impressed, but more than 1,000 people showed up in Washington February 16-18 to discuss energy and to see how they might use their own as groups and individuals to cut through the pablum of the fuel industry and the policies of an Administration which can't see beyond a long line at the pump.

The Citizens' Energy Conference drew a wide array of groups, many of which always seem to make it to national issue conferences. But mixing with the vestiges of civil rights and anti-war groups and professional liberal and public-interest types were more recent converts to the need for a citizen offensive against irresponsible and nonresponsive government and industry. Former and current policy makers in state and federal governments, scientists, moderate consumer groups and labor representatives, independent trucker leaders—they were there, listening and often participating.

"We're outraged," Maggie Kuhn of the senior citizens' Gray Panthers put it simply and strongly. The problem for old people, who must bear what Ms. Kuhn called the real physical heartbreak of lowered thermostats, is the same as for the traveling salesman who loses 10 per cent of his workday and much of his income waiting in a gas line. It's moved far beyond nuisance in many rural and low-income areas to genuine crisis. Combined with an inflation *cum* depression (an amazing economic feat), the fuel situation has created for the American people a burden quite unlike any it has had for decades.

And that's what drew together the conference participants. "A crisis of power" was the gathering's slogan, but that crisis remains unresolved. For like all massive conferences, this one consisted mostly of workshops and less formal getting together to meet and to talk. The clear feeling that something has to be done by someone —and soon—dominated, but the questions of just what and who and when remain largely unanswered. But then no one really expected such a divergent group to topple the empire of oil Goliath in just three days.

The important fact which did emerge, though, is that a lot of mostly artificial lines are breaking down under the energy crisis. Everyone feels the pinch, everyone in a sense is a victim, and victims want to respond. So far, only the truckers have put together an actual physical and effective response. But now long-victimized low-income groups are at last being joined in common concern and anger by far more affluent suburban commuters. Aside from the truckers, things are mostly just simmering now—but the heat is rising. The thousand or so in Washington were just one jump ahead.

A lot of talk centered on keeping Congressmen on the spot, of not organizing a national march on Washington but instead forcing elected officials to face the situation on their home turf. Price rollbacks and public accounting by the oil giants were initial demands, specific enough in an election year to be realizable. Organizers perceive the best possibility in years for massive education. The door-knocking of the 1960s needs to become the gas-line windshield-knocking of 1974.

Unfortunately, amazingly little of all this was noted in the national press. Stumbling all over themselves about gas lines and Czar Simon, the Washington press somehow missed the significance of citizens from forty-six states managing to get to Washington to meet on what to do. Commentators are asking just how long citizens are going to remain silent and obedient to questionable authority and priorities—and right under their noses a thousand people conduct dozens of workshops on just that matter.

PHIL PRIMACK

Haitians Are Different

In an editorial, "Haitians Without Haven," the February 27th *Christian Century* quotes Thomas Jefferson: "Shall we deny the unhappy fugitive from distress that hospitality which the savages of the wilderness extended to our forefathers arriving in this land?" So far as anti-Castro Cubans are concerned, the answer is that they are welcome. Haitians are different. They are refugees from "Baby Doc," our friend, and unless an outcry is raised, our righteous State Department purposes to send them back.

There are some 400 of these unwelcome refugees. With annoying naïveté, they have heard, and believe, that America is the land of freedom. So, when they can get boats, they depart, at the risk of their lives, on the 500-mile voyage. If they get to Florida, the nearest U.S. landfall, they are illegal entrants. Of the 400, 106 men are in jail; fifty in a federal prison in Port Isobel, Tex., the rest in a Miami jail.

If deported to Haiti, they face imprisonment or worse. There is a question whether their treatment here is in accord with the U.N. Protocol for the Status of Refugees, part of a 1951 convention to which the United States became a party in 1968. The State Department maintains that if they are deported to Haiti they will be in no danger. Where the State Department gets this assurance is a puzzle. The refugees do not agree.

The risks they take to escape from Baby Doc's police would seem to support their view. According to the Associated Press, the last batch of thirty were rescued by the Coast Guard from a sinking 20-foot sailboat some 280 miles off Florida. They were crying, praying, singing hymns and reading from the Bible.

An earlier group landed in Cuba for food and water en route. The Cubans offered them asylum. The Haitians thanked the Cubans but explained that they were not Communists and wanted to move on to the land of freedom. Washington proposes to admit 25,000 Cubans who have been residing in Spain, but the 400 Haitians are in a different category. The fact that they are black raises speculations.

The only chance for these people is pressure based on an appeal to American humanitarian impulses. Among those who are trying to help are Ed Boorstein, who had been economic adviser to Salvador Allende; Prof. Noam Chomsky; singer Judy Collins; columnist Nat Hentoff; the War Resisters League and others. Key organizations are the American Committee for Protection of the Foreign Born, 799 Broadway, New York, N.Y. 10003, and the Ad Hoc Committee for the Defense of Haitian Refugees, 251 West 80th Street, New York, N.Y. 10024.

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MIDDLE EAST DISENGAGEMENT

MORE SUBSTITUTES FOR PEACE

MICHAEL REISMAN

The world relies increasingly on artificial substitutes for traditional resources, and these in turn vary in quality and durability. The substitute for peace is a comparatively quiet interim, when the people who count are not unduly bothered. As long as it works, it seems as good as the real thing, but as the world discovered last October 6, it is not a particularly durable substitute. The shattering of the cease-fire line at the start of the Yom Kippur war was not, despite Israeli cries of outrage and betrayal, a breach of the peace, for there had been no peace. The line established on June 9, 1967 was a substitute, created for a certain context and with a temporal dimension and logic. When the context changed, the substitute could not work.

More by accident than by design, the 1967 cease-fire line had proved a remarkable substitute at the outset. It stopped overt hostilities, provided respite for a shattered Egypt, a defensible position for Israel and a demarcation for superpowers that were converging too close for comfort. As the weeks and months passed, the cease-fire lines at the Suez Canal, the Jordan River and the Golan Heights became the *sine qua non* of Israeli defense thinking. For some, the substitute began to seem real. Golda Meir is reported to have said, "I'm falling in love with peace."

Whether by accident or design, the cease-fire of October 22, 1973 was a poor substitute. It did stop the firing but it created an intolerable military and political situation for both Egypt and Israel. Israel encircled Egypt's 3rd Brigade like a half-drawn garotte, while a sharp salient across the canal was poised like a spear against Egypt's eyes. But Israel's lifeline to that beachhead was not invulnerable. Moreover, Israel was obliged to keep its largely reserve army in almost complete mobilization, with grave economic and social consequences for the country. Nor was it certain the USSR could stand by and witness the devastation of the Egyptian Army. Precisely because of the intolerable character of the 1973 cease-fire, there was at last a common motive to change and to explore alternatives. Ironically, that impulse may have been squandered by the very solution which the United States has arranged.

Secretary Kissinger's disengagement is tolerable for the major protagonists, Egypt and Israel, and for the projected future. Armies are now divided by two bands of sand paralleling a thin blue line. Israel has withdrawn some 20 miles from the canal to a line that is eminently defensible. It is not a jubilant and victorious Israel as in 1967, but neither is it a defeated and humbled nation. Egypt has commenced the liberation of Sinai, reclaimed Egyptian military honor and regained pre-eminence in the Arab world. The Suez Canal will be reopened and the cities along the waterway resettled. President Sadat's political position has been reinforced. He has, so to speak, been given another term. Meanwhile, the pressure on the industrial nations is to be lessened. Kissinger was apparently given to understand by both Sadat and Faisal that "General Oil," as powerful an ally for the Arabs as "General Winter" was for the Russians, would be demobbed and oil would be sold again.*. In short, the intolerable is to be made tolerable—for those who count.

Secretary Kissinger claims there are no substantive secret agreements. If that is true (there are indications that it is), the debit side reads this way: no agreement about the Palestinian problem, about the West Bank, about Jerusalem. To date there has been no disposition of the Syrian front, though a limited "disengagement," akin to the Egyptian arrangement, is being pressed. On the credit side: "disengagement" and the promise of oil.

The term "disengagement" is arresting and professional, plainly up to the standards of an Administration that excels in verbal packaging. But read the label! The disposition of forces at battle's end was to the advantage of neither belligerent, for recuperation, defense or preparation of another round. Thus the disengagements arranged by the United States were no more than rationalizations of the front. It is ominous that even these limited collaborations, though of tactical advantage to both sides, could not be effected, in Geneva or at km. 101, in face-to-face negotiation, nor even affirmed in a joint document. Our Secretary of State was obliged to shuttle back and forth and ultimately to draft a letter on behalf of Nixon, which Sadat and Meir acknowledged by signature. The 1974 disengagement is another substitute. Four Middle Eastern wars in twenty-five years have shown there is no substitute for the real thing.

Moderate Israelis and Arabs do not appear to speak to each other. But when they speak to me seriatim, their visions of an improved regional order in the Middle East are surprisingly similar: Arab acceptance of Israel; some sort of state for Palestinians on the West Bank and Gaza; Israeli withdrawal from Sinai, with an effective internationally supervised policing arrangement; absolute assurance of a demilitarized Golan and guarantees of access to the Holy Places in Jerusalem, and acknowledgment of the civil and political rights of Arab

Michael Reisman, a professor of law at the Yale Law School, is the author of The Art of the Possible: Diplomatic Alternatives in the Middle East *(Princeton University Press).*

*In Western Europe and the United States, the oil issue is regularly linked with the Israeli-Arab war; as a result, Western oil diplomacy is, at least up to now, formulated on securing those minimum Israeli concessions which will persuade the oil sheikhs to reopen the tap. In the short run, this may work, but oil diplomacy and, more generally, Third World resource diplomacy are only coincidentally linked with Israel. The process of "decolonization," transferring control from European to indigenous elites, is slowly extending from the political to the economic sphere and will be used increasingly as a diplomatic instrument. No matter how the Middle Eastern problem is resolved, Third World resource diplomacy will be a permanent feature of world politics, dispersing power in ways most disagreeable to the strategists of bi- and tripolarity.

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Jerusalemites. However, the specification, implementation and particularly the transitional arrangements—what Montaigne called the most treacherous time—raise enormous and complex questions. Given the level of distrust and the inevitable vulnerabilities involved in moving from war to peace, outside guarantees become crucial. Israelis and Arabs concede that to commence without them would be imprudent, indeed reckless. And Israelis charged with national security believe they have looked in vain for credible guarantees.

Who, for example, can guarantee the necessary degree of unity among the Arab states? If Egypt is willing to make peace, will other Arab states do the same? If Syria, Iraq or Libya refuses to join an agreement, can Israel be expected to trust the resulting partial accord? I put these questions to Ashraf Ghorbal, the Egyptian Ambassador in Washington. Events move so rapidly that we sat in an office in what is still called the "Egyptian Interests Section" in the Indian Embassy, a relic of the six-year period during which the United States and Egypt suspended formal diplomatic relations. Ghorbal has been frequently interviewed in the media and is recognized as a man with a sharp sense for the complexity of issues. In this issue, he saw no complexity. Despite current divisions in the Arab world, all the Arabs will join the agreement. "When it is certain that the train is leaving the station, all will get on, though some may get on the caboose." But why will the train even leave the station? Because external factors have arranged the timetable.

Those in the Third World share a sensation which Americans can barely grasp: it is the sense of being completely at the disposal of outside powers you can neither influence nor propitiate. Fanon described it as being a spectator at one's own destiny, crushed by one's inessentiality. People in single-commodity economies, for example, are dependent on world demands over which they have no control and against which there is no hedge; a lifetime's plans for yourself and your children can be shattered in a season. Small countries situated in the paths of superpowers develop the same perception of the world. Giants have been walking across the Middle East for at least 3,000 years. In an earlier metaphor, Middle Easterners saw their lives and their struggles as epiphenomena of wars between divinities. In a more secular age, the metaphor is world politics. And particularly détente.

Le Herisson, Paris

"I Hope They Used Better Glue This Time."

Many Arabs appear to believe that détente provides the necessary world consensus for regional peace. In Washington, Ambassador Ghorbal assured me that détente was now a permanent and fundamental feature of world politics; superpower concord made the establishment of a Middle East peace agreement and its maintenance a realistic alternative. In New York, a Palestinian diplomat with almost two decades of U.N. experience expressed the same sentiment, though with less enthusiasm. Israeli politicians and American Jewish leaders appear to be still less sanguine about the wisdom and durability of détente. Former Under Secretary of State Eugene V. Rostow, for example, a close student of the Middle East, a frequent commentator on world political developments, and a rather reliable barometer of the loyal opposition in the United States, considers this "détente" a woeful misreading of Russian objectives.

Kissinger is an important component of détente. Israelis pressed the Secretary, during his shuttle diplomacy, on his own prospects of political survival. Kissinger is reported to have said (he denies it) that Nixon would be out in six months, but that he would remain at Foggy Bottom. I suspect that Israeli leaders have privately reserved judgment on that prophecy. But the question implies their pattern of thinking about the durability of superpower consensus, and hence the actual magnitude of risk they would incur in hazarding real peace moves.

Two points are involved here. The first is the real effect of détente on regional politics, and the second is the durability of détente itself. World power influences some events in the Mideast and is a regular factor in the political calculation of all the local leaders. But questions do arise regarding the *extent* to which and the equality with which the superpowers can decide or even influence certain critical issues. These questions arise from geopolitical and power considerations, as well as from assessments of the internal political processes of powers. Even assuming the United States can lever Israel back to Eilat, can the USSR police Syria and Iraq as well as Egypt? And assuming that, will a new administration in Washington continue to police Israel in the same way? It is, in short, not certain that the stationmasters will make sure all stragglers scramble onto the caboose.

The guarantees necessary for even a minimal peace in the Mideast would require an extraordinary degree of trust and cooperation between Washington and Moscow. Détente goes beyond the coexistence and gingerly reciprocal tolerance that had characterized U.S.-Soviet relations; superpower behavior before, during and after the Yom Kippur war is striking evidence of that. Even assuming that the spirits of Camp David and Glassboro and Moscow have somehow accumulated to full strength, can that unprecedented good will survive the vicissitudes of world politics? If it does not, what will remain?

For at least fifteen years, U.S. and Soviet leaders, while still infatuated with the atom, have recognized the folly of nuclear war between themselves and have taken

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a variety of steps to avert it. Détente initiated a set of new understandings among Messrs. Nixon, Kissinger and Brezhnev, of varying explicitness and involving a type of oligarchical division of the world with designation of sectors of competition and cooperation. Détente was a sharp and in some cases traumatic change for elements of the Soviet and American Governments. As Congressional behavior shows, it has not yet become institutionalized at middle and lower levels of the U.S. and Soviet bureaucracies. Indeed, it continues to be so highly personalized that virtually no one, it appears, outside the original *détentistes* really knows the content of the agreements.

The continuity of détente is, of course, problematical. It depends in part on the continued effectiveness of the relationship between Kissinger and Nixon on the one side, and Brezhnev and colleagues on the other. It also depends, politically, on factors which these men do not and cannot entirely control. In Moscow, Mikhail Suslov, the Kremlin theoretician, has publicly indicated dissatisfaction. In Washington, Melvin Laird's departing words would indicate that he did not see eye to eye with Kissinger, and the Moorer-Radford incident strongly suggests that the Pentagon has its own views on détente. Though the dynamics of the Supreme Soviet are complex, Brezhnev's continuity as *primus inter pares* may well depend on some sort of consensus there, just as the continuance of détente here may well depend on the balance of political forces in and out of Congress, the developing world economic situation and the role that the Pentagon may play in shaping policy.

Henry Kissinger's future, like that of Brezhnev, seems to depend on the success of détente, a policy which is in great part his handiwork. The strains put on U.S.-Soviet relations by the Yom Kippur war crystallized an inchoate anti-détente and anti-Kissinger group in the United States. Kissinger's assurance that he will survive Nixon (if, indeed, he gave it) is, thus, an assertion that détente is not a personalistic policy but rather a permanent feature of U.S.-Soviet relations. Israeli leaders will not buy that assurance on Kissinger's word. Israel will move cautiously and slowly. And it will watch the political drama in the United States closely. Nixon is plainly in trouble. As far as Kissinger is concerned, he is not the first civil servant to imagine that he is indepensable; Bismarck and Metternich also believed they were indispensable.

Leaders deliver idealistic speeches, but for those who believe in a balance of power system there is no ethic of friendship or loyalty. Only power counts, and if the context shifts, alignments and coalitions are quickly jettisoned. The superpower consensus may not prove all that durable. And since the new cease-fire lines are tolerable, it is most likely that the adversaries in the Middle East will wait and see, as they did between the last two wars. In practical terms, this means that Egypt and Israel will bet on the short-term substitute rather than the long-term peace. For Cairo and Tel Aviv it's pure minimax. Future wars are likely, but less dangerous than gaining a future peace, for the superpowers will set limits to the wars. If the political existence of either of the belligerents is in jeopardy, the supers will blow the whistle. Meanwhile, preparation for the next war must be accelerated.

"The Middle East is like a sick man. . . ." In Arabic, the simile is an aesthetic form whose attraction is so strong that Arab speakers regularly carry it over into other languages. Rendered in English, these similes have a quaint charm and surface suggestion of exact detail which gives way, on reflection, to precisely the questions they purport to answer. In virtually every discussion I have had with Arab diplomats and intellectuals in the past weeks, the simile of the sick man has been used. The symptoms of illness, of course, are there: upheaval, feverish violence, a frightful mortality rate. But symptoms do not provide a diagnosis nor does a diagnosis provide a cure. And the availability of a cure does not assure that the patient will have the will, the means, or the courage to seize it.

The illness, the Arab-Israeli wars, involves a number of regional grievances and international conflicts. You can check them off: Russian penetration of the Mediterranean and the Persian Gulf, U.S. penetration, Chinese penetration, progressive versus conservative Arab regimes, class struggle, decolonization, imperialism, communism, the trauma of modernization, the arms race, oil intrigue, etc. But if there is no single cause, there is a central problem and that is the Palestinians. Many have tried to dismiss or minimize the Palestinian factor. For twenty-five years, the United States treated the Palestinians first as a charitable problem and then as a criminal problem; during most of the Israeli occupation of the West Bank and Gaza, the Israeli Government put its head in the sand and said "what Palestinians?," while it applied the criminal sanction to many manifestations of Palestine nationalism. In Jordan, King Hussein viewed the Palestinians, three-fourths of his population, as a military problem. In the Black September of 1971, he used pogrom techniques and set loose a global genie. The exiled Palestinian political and paramilitary response resorted increasingly to terror, with an ever more ecumenical designation of targets.

Some Palestinians want Israel; many of them hate Israelis with a venomous intensity difficult to imagine. Some Palestinians, it seems, will settle for their own state on the West Bank and Gaza. In 1967, at the inception of the Israeli occupation, a significant number of Palestinian leaders believed that Israel would aid in the realization of those political aspirations which Hussein had so systematically suppressed. By 1974, the good will was gone; Hussein had become preferable to Meir. Allan Gerson, a young American lawyer, has just spent several months in intensive interviews with almost every mayor, *mukhtar* and intellectual leader on the West Bank, gathering material for a book on the law and practice of military occupation. He may well know as much about the West Bank as any one outsider does. Gerson, who is both sympathetic to Palestinian hopes and sensitive to some of the security needs that motivate the Israeli occupation, was struck by the depth of animosity expressed by the Palestinians. "It is now difficult," he says, "to conceive of any voluntary association between Israel and a Palestinian state on the West Bank and Gaza."

In the shock following the Yom Kippur war, some

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Israelis began to re-evaluate the security gains actually to be had from the occupation. But there has been a recanting, and the country seems thrown back to the indecision regarding Palestinians which has been a feature of Israeli politics since 1967. The choice facing Israel is anguishing and fateful. There plainly are dangers in Palestinian independence, for a Palestinian republic on the West Bank will not magically expunge Arab animosities. On the other hand, the likelihood of another war is as great as ever as long as the Palestine problem is unresolved. For Israel, future wars may not be as disastrous as Yom Kippur, 1973, but never again will they be as ecstatic as in June 1967. The technological gap narrows, numbers become decisive and, most important, the three-week period for mobilization which Nasser's indecision allowed Israel in 1967 is unlikely to recur.

An accommodation would be possible, if a West Bank Palestinian state in some form of association and with international guarantees could be established. But this would require an Israeli willingness to turn to Palestinian leaders and say, "What do you want?"; an Egyptian willingness to forgo their artful ingenuousness about "honor" and participate in something short of what more extreme Arab regimes have demanded, as well as United States and Soviet imagination and commitments beyond anything shown to date. With the sighs of relief that are being heaved after disengagement, the necessary combination seems unlikely.

In the world of economics, some problems are technically soluble, but at a price that erases the margin of profitability. In airlines, for example, one might conclude that certain features would improve safety but be too expensive; hence it would be cheaper to anticipate accidents, accept absolute liability and buy insurance. In a sense, this is what the world has done with Palestinians. The present scheme offers them little and only forces them to behave in ways which raise the premium. Their desperation may not secure a Palestinian state but it will oblige other Arab leaders to admit they have accepted a substitute. Then there will be new pressure to use the oil strategy and renewed preparation for war.

For those caught in a war system, with the constant anxiety of defense of the self and the group, the possibility of peace, even of détente, is unimaginable. Yet peace is possible. In the 1920s, the United States went from a period of intense labor war—real war—to peace in about two years. Only recently, in the Sudan, a long and vicious civil war was ended and there is peace.

If one accepts the possibility, the initial ingredients of peace are not recondite: elites on each side and outside must be committed to the experiment through the conviction that there is a gain to be had. The peacemaker constructs institutions which promise to supply those gains. The continuing problem in the Middle East is that few on either side really accept the possibility of peace. I sense that few in the United States do. If what was wrought in Indochina is a "peace," then the notion has undergone a steep depreciation, like our monetary unit, our standard of market truth and our political morality. Peace, at this level, means a short-range tactical gain with a primarily domestic political payoff. Real peace, I believe, is possible. But I'm pessimistic that adequate efforts will be made to construct it.

The pressure for peace was unbearably high after the cease-fire of October 23, 1973. It presented dangers, but also opportunities. Unfortunately, modern governments tend to react away from crisis. Like prodded amoebas, they move away from the disturbance no further than they must. President Sadat has won a victory and consolidated his position. Faisal of Saudi Arabia is assured of a comparatively moderate government in Cairo which will not bother him. Israel still has its buffer zones and defensible lines. The West and Japan will have their oil again, and the oil producer their revenues. The Russians will have use of the canal and tolerable supply lines to the Persian Gulf. There is sufficient instability in the Middle East to continue superpower dependencies and allow for influencing. And sufficient respite to turn to other pressing issues. A remission for virtually everyone who counts—everyone but the Palestinians.

"The Middle East is like a sick man . . ." who had long resisted the surgery which his physician prescribed. His fever became so severe and his pain so great that he seemed about to overcome his fear and undergo the surgery. But a great physician from another land, a true Hakim, came to him and touched him here and there and the fever and pain abated. The Hakim went west to other patients, and the man put off his surgery. □

REVIEW & CRITIQUE

THE NEW FEMINISM

JO FREEMAN

For The Nation *of February 24, 1969, Jo Freeman wrote "The New Feminists," one of the early, comprehensive articles on women's liberation. In the five years since then, the movement has grown, changed, become a recognized and widely endorsed force in American society. In the following article, Dr. Freeman again surveys the whole movement, examines its present structure, and offers a balance sheet of its achievements and shortcomings.* The Editors

"Don't call it 'women's lib!'" is the likely response of conscious feminists to the movement's most common depreciation. Though it has emerged in the last few years as a major national force, the new feminism is still often subtly ridiculed in this fashion, even by some of its supposed supporters. From the time the movement began to organize itself in 1966 and 1967 it has been subjected to this and many less subtle forms of ridicule that other protest movements did not have to face. The biggest

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battle of women's liberation—as in general the biggest battle of women—has been the fight to be taken seriously.

Feminism, in its contemporary manifestation, assumes an almost infinite variety of styles and organizations. Yet this diversity has sprung from only two origins whose numerous offshoots remain somewhat clustered around their sources. The first can be dated from the formation of the National Organization for Women (NOW) in 1966 by women associated with the President's Commission on the Status of Women and subsequent state commissions. The second came from the other side of the generation gap, from young women involved in the civil rights and youth movements of the last decade.

It is a common mistake to try to place the various feminist organizations along the traditional Left to Right spectrum. The terms "reformist" and "radical" by which the two branches are so often designated are convenient and fit preconceived notions about the nature of political organization, but they tell us nothing of relevance. Some groups called "reformist" have a platform that would change society beyond recognition. Other groups called "radical" concentrate on the traditional female concerns of love, sex, children and interpersonal relationships (although with untraditional views). The most typical distinction, oddly enough, is that those groups labeled "reformist" are the activists, while the "radicals" engage primarily in educational work.

To avoid confusion, I shall call the two branches the "older" and "younger," reflecting the order of their origin. Rather than ideology, it is structure and style that more accurately differentiates, and has had the greater hand in developing the two branches. Containing such organizations as NOW, the Women's Equity Action League (WEAL), Federally Employed Women (FEW), and some fifty different organizations and caucuses of professional women, the groups in the older branch have tended to be traditional, with elected officers, boards of directors, bylaws and other trappings of democratic procedure. All of them started as top-down national organizations. Some have subsequently developed a mass base, some have not yet done so, and others don't want to.

The style of the younger branch has been experimental. Stressing participatory democracy, its basic unit is the small group of from five to fifty women. These are held together by an often tenuous network of personal contacts and feminist publications. They avoid structure and deplore the idea of leadership, carrying the concept of "everyone doing her own thing" almost to its logical extreme. The thousands of sister chapters around the country are virtually independent; they form and dissolve so fast that no one can keep track of them. With time and growth, the informal communication networks have partially stratified along functional lines, so that within a single city participants of, say, a feminist health clinic will know less of other women's groups in their own area than of other health clinics in different cities. A few cities, primarily smaller ones, have coordinating committees that try to make local groups aware of one another and to channel newcomers into appropriate ones, but none of these committees has any power over the activities of the groups it serves. While it cannot be said to have no organization at all, initially this branch of the movement informally adopted a general policy of "structurelessness."

Despite a lack of formal policy to encourage it, there is considerable homogeneity within the younger branch of the movement. Like the older branch, it was begun by predominantly white, middle-class, college-educated women, but it has been less able to diversify, largely because most small groups tend to form among friends. Even intergroup contacts tend to be along friendship lines.

In general, the different style and organization of the two branches derived from the different political education and experiences of each group of initiators. Women of the older branch were trained in and had used the traditional forms of political action; the younger branch has inherited the loose, flexible, person-oriented attitude of the youth and student movements. The structures that have evolved from these two distinct kinds of experience have, in turn, largely determined the strategy of the two branches, irrespective of any conscious intentions of their participants. Intra-movement differences are often perceived by the participants as conflicting, but their complementarity has been a strength of the movement.

On the surface, women's liberation has little in common with most social movements of the last decade. It has not been marked by widespread violence or any major public confrontations. Its largest demonstration—in August 1970—was not only deliberately low-key but small by comparison with civil rights and anti-war marches. Instead of producing charismatic leaders with large followings, it has denigrated the very idea of leadership. Nor can its major organizations boast of impressively large memberships. Yet for so young a movement, starting from almost no base, its achievement has been considerable and its influence pervasive.

It can take credit for developing a national policy on the status of women. When the movement emerged in 1966 and 1967, there was no such policy. There was an abundance of state laws to restrict women's opportunities and freedoms, in keeping with traditional mores, but few that stipulated equal and fair employment practices—and these carelessly observed. The President's Commission on the Status of Women had issued its report in 1963, with negligible effects on policy. While it indirectly contributed to the formation of the state commissions and through them to part of the women's liberation movement, it did not lead to any concrete legislation. The only federal legislation, the 1963 Equal Pay Act and the addition of "sex" to Title VII of the 1964 Civil Rights Act, were idiosyncratic occurrences and the latter was largely ignored by the Equal Employment Opportunity Commission, Title VII's enforcement agency. If anything, various civil rights agencies within the government and the people in and out of government concerned with civil rights were hostile to the addition of sex discrimination as a legitimate concern. Women were thought to fare well enough, and their demands should not be allowed to compete with those of minority groups for a share of the slim federal pie. As late as 1969, a Justice

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Department official told the President's Task Force on the Status of Women that Justice had no intention of taking an employer to court on a sex discrimination case. "We respond to social turmoil. The fact that women have not gone into the streets is indicative that they do not take employment discrimination too seriously."

The 1967 NOW national conference proposed a Bill of Rights for women, to be presented to candidates and parties in the 1968 elections. Its eight points called for enforcement of laws banning sex discrimination in employment and in Social Security benefits; tax deductions for the home- and child-care expenses of working parents; child-care centers; equal and unsegregated education; equal opportunities for job training, housing and family allowances for women in poverty; Congressional passage of the Equal Rights Amendment, and the legalization of abortion. By 1974, three-fourths of these demands had been at least partially attained. In addition, the Equal Employment Opportunity Commission had overcome most of its prejudice against women and the Civil Rights Commission had established a special unit on women's rights. Numerous lawsuits filed under Title VII by individual women had compelled court rulings which voided most restrictive labor legislation. The EEOC in March 1972 was given the power to go to court instead of relying on the Justice Department and since then has filed seventy-three lawsuits alleging sex discrimination and is preparing comprehensive cases against several major corporations. It is now illegal to discriminate on the basis of sex in most aspects of federally aided education and more than forty other bills relevant to women are before Congress. Some states have passed extensive women's rights legislation. NOW leaders in Seattle actually feel "we've pretty much gotten all the legislation we want here." While the White House had yet to make a major statement on the status of women, a Task Force report issued in 1970 made numerous administrative and legislative suggestions, many of which have had results or are well on their way to enactment. Effective implementation of these policies is still a serious problem, but the legal and administrative tools are being forged with which feminist groups can work toward equal opportunity.

The campus has been one of the most active feminist fronts, though not always the most successful. In the last four years, WEAL and NOW have filed complaints against more than 400 colleges and universities, charging violation of Executive Order 11246, as amended by 11375, prohibiting sex discrimination in employment by all holders of federal contracts. Instigated by Dr. Bernice Sandler when she was refused employment by the University of Maryland, this campaign drew upon an already developed network of women's caucuses on the campuses and in professional associations to generate a good deal of Congressional pressure on H.E.W.'s Office of Civil Rights. Nonetheless, only two dozen school contracts have been slowed down—the longest for three months—and none has been terminated.

According to the American Council on Education, the employment of female academics has increased by a negligible 0.9 per cent since affirmative action programs were instituted. A much greater success has been the increase in women's studies programs from two in 1970 to seventy-two in 1973; from approximately 100 courses on sixty campuses to more than 2,000 on 500 campuses. How much the employment difficulties have been due to a generally tight academic market and how much to male intransigence is hard to say, but it is clear that the curriculum has been more responsive to change than have the personnel committees. Admissions to professional programs have also increased dramatically in the last few years, female enrollment reaching 24 per cent in colleges

of pharmacy, 19.7 per cent in medical schools and 15.6 per cent in law schools—jumps of two to five times pre-movement enrollments.

Other traditionally male fields are also taking significantly larger percentages of women at the key access levels—especially mid-level executive jobs in business and apprenticeships in skilled trades. Although blue-collar women were the first to go to court under Title VII to challenge outmoded hiring and promotion policies of both companies and unions, the unions themselves have been slower to act. Within the last year, however, the AFL-CIO has reversed its historic opposition to the Equal Rights Amendment, and a network of trade union women has begun to press for more union organization of women and for more women to be represented within existing unions. A series of regional conferences of trade union women is now preparing for a national gathering on March 23-24 in Chicago to form a Coalition of Labor Union Women. A typical meeting held in New York on January 20, on which Claudia Dreifus is reporting for *The Nation*, brought together nearly 700 women from forty-eight international unions and 111 local union affiliates for a day of workshops and speeches. In addition to traditional wage demands, union women are pushing to include maternity/paternity leave and child-care provisions in collective bargaining agreements. "The Women of the Boycott" by Barbara L. Baer and Glenna Matthews (*The Nation*, February 23) describes the influence of women

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on the growth and direction of the United Farm Workers.

One of the movement's most tangible results has been the sheer volume of writing it has generated, articles on feminism having appeared in every print and broadcast area of the news. Topical books also appear at a steady rate and their sales indicate that the market for feminism is expanding. The movement has produced a major national magazine, *Ms.*, and more than 100 small journals and newspapers. It can truly be said that if words were enough to win adherents, the whole country would be feminist by now.

Just as tangible was the 28 per cent gain in female state legislators in 1972, and an increase in the number of women running for all public offices. Partially under the spur of the McGovern guidelines, women delegates to the Democratic convention went from 13 per cent in 1968 to 40 per cent in 1972. But even without that spur, the participation of women in the GOP convention rose from 17 to 29 per cent.

Just as important but far harder to measure has been the effect of the movement on marriage. Marriages dropped 6 per cent in 1973 and divorces rose 15 per cent, but there are too many other social factors involved to attribute those changes to women's liberation. Preliminary findings from a study in Los Angeles indicate that married women benefit from participation in the movement—the wives showing increased self-esteem, self-confidence, willingness to take risks and to ask for what they want rather than try to manipulate others—but that the effect on husbands is highly varied. According to psychologist Diane Franklin, "If a marriage survives the changes it has to go through when a woman gets involved in the movement, it strengthens it. It becomes more egalitarian, open, exciting, sharing, growing—even for the men."

In fact this movement has had no fewer conflicts than its precedessors. But they have been less public. It is on the private front of personal relations—between spouses, friends, colleagues—and in the courts that its wars have been waged. Thus that part of the movement that has been publicized has often been a gross distortion of its issues, its participants and its methods.

Movement organizations themselves have undergone major changes in the last few years—some for the better, some for the worse. There is a phoenix-like quality to the movement—different groups simultaneously dying, reforming and emerging—so that it is hard to get an accurate reading on the state of its health. To a certain extent, the movement is expanding but not building; it is pushing into new areas while failing to consolidate its gains in old. Though there are exceptions, in general it appears that the movement is strongest where it is newest—among blacks, union women, housewives, office workers—and weakest where it is old—among radicals, students, professional women. It is also thriving more in the West and Midwest than in the East, and in the smaller rather than the larger cities. Yet there are also sporadic revivals, with old feminists surfacing in new activities, and worn-out projects being revived by new people. Within the last few months, Female Liberation of Boston, one of the oldest continuous feminist groups, dissolved, while the original Redstockings, long since dissolved, came together again to put out a theoretical journal. The New Haven Women's Liberation Rock Band expired, and an academy to teach women direct action and organizing opened in Chicago. The average movement life of activists is about two years; after that they retire in exhaustion to be replaced by new converts who try to make up in enthusiasm what they lack in experience. While this high turnover continuously adds new blood to the movement, it also means that old issues must be continuously refought. Thus internal education consumes a good deal of the movement's energy, and only some organizations—primarily in the older branch—have been able to avoid bogging down.

Another phenomenon that has been both hindrance and help is the unceasing fission of the movement. As new segments of the female population are brought under the umbrella, more women and men have the reality of feminist revolt brought into their everyday lives through the activities of their colleagues, friends and relatives. The last year alone has seen not only increasing organization of trade union women but the formation of the National Black Feminist Organization and organizations of women office workers in several major cities.

At the same time, this diversity makes the possibility of a united movement more and more remote, and agreement on common issues more and more difficult. It usually means that, while each separate feminist effort has the existence of the movement to give it moral strength, it lacks any powerful organization to give it material strength. Apart from NOW, most feminist organizations still consist of a handful of dedicated people and a large number of hesitant sympathizers.

Where and when certain aspects of the movement flourish depends on both its environment and internal group dynamics. The women and men who formed NOW, and its subsequent sister organizations, created a national structure prepared to use the country's legal, political and media institutions. They did so, and most of the changes in these institutions' policies can be traced to the activities of organizations in the older branch. These groups functioned, and still function, primarily as pressure groups within the limits of traditional political activity, and their skill has become increasingly sophisticated. Diversification of the older branch of the movement has been largely along occupational lines and primarily within the professions. Short-range goals are emphasized, and no attempt has been made to place them within a broader ideological framework.

At first, this structure hampered the development of older branch organizations. NOW suffered three splits in 1967 and 1968. As the only action organization concerned with women's rights, it had attracted many different kinds of people with many different views on what to do and how to proceed. Since it had only a national structure, and at that point no base, individuals found it hard to pursue their particular concerns on a local level; they had to persuade the whole organization to support them. Given NOW's top-down structure and limited resources, this placed severe limits on diversity and, in turn, severe strains on the organization. Additional difficulties were created by a lack of organizers to develop

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new chapters and lack of a program into which they could fit. NOW's initiators were very high-powered women who had no time or patience for the tedious work of putting together a mass organization. Chapter development had to wait until the national media attracted women to the organization or the considerable mobility of contemporary women carried proponents into new territory.

The next few years were spent building a grass-roots organization. Regional divisions were created and several regional directors, as well as many local chapter officials, spent countless hours recruiting people into NOW and encouraging the formation of new chapters. NOW also attempted to form liaisons with the younger branch of the movement. In November 1969, the first Congress to Unite Women was held in New York and several others were held elsewhere in the next year. They were occasions for dissension, backbiting and name calling, and produced no umbrella organization to speak for the interests of all feminists. But this very failure had its usefulness, as feminists from both branches began to realize that a diverse movement might be more valuable than a united one. Although they made coordinated activity difficult, the multitude of different groups reached out to different kinds of women, served different functions within the movement and presented a wide variety of feminist ideas.

The groups agreed to disagree and to work together where possible. As the various groups became more tolerant of one another they also became more cooperative and today most of the bitter enmity of the early years has been forgotten. Ties between the groups have strengthened and women who are members of both NOW and younger branch groups are no longer viewed with suspicion by either.

The "take-off" point for the women's liberation movement was the August 26, 1970 strike to commemorate the fiftieth anniversary of the Nineteenth Amendment. It was the first time that the potential power of the movement became publicly apparent; the crowds that turned out shocked everyone—including the organizers. The strike swelled the ranks of NOW and other groups tremendously, chapters often expanding as much as 50 to 70 per cent. The new members tended to be younger than the original ones had been and less likely to be professionals or even employed. Many were housewives, concerned with the emptiness of their own lives and worried lest the same fate befall their daughters.

Few of the new members had previous experience in either political or voluntary organizations. Thus as NOW swelled its ranks, it decreased its proportion of trained personnel—particularly of people with any experience in running large organizations. As a general rule, the core of activists in a NOW chapter never gets much beyond fifty, regardless of the size of the membership; and this point is usually reached when chapter membership hits 200 to 300. After that, the bigger a chapter gets, the greater proportion of its time, energy and finances goes into administration, and the less is left for action.

Between 1967 and 1973 NOW went from fourteen chapters to more than 300; from 1,000 to more than 30,000 members. As it grew larger, the individual chapters began to feel more and more isolated. Problems of communication, finance and cohesion were evident at both the local and national levels, and neither felt the other was acutely sensitive to its needs. Such problems frequently come with growth, but many organizations larger than NOW function smoothly. Lack of experience, impatience to engage in action, shortage of funds, duplication of effort, inadequate intra-organizational communication, and lack of an administrative staff all add their share of difficulties. NOW has three national offices—administrative in Chicago, public relations in New York and legislative in Washington—and relatively anonymous local chapters. What it has not yet adequately developed is a set of middle-level structures to connect national programs with local ones. Attempts have been made, however, with the creation of regional directors and close to thirty national task forces which try to coordinate local efforts, so that individual projects can produce a national thrust, with local instrumentation.

Despite these problems, NOW functions well because individual enthusiasm makes up for institutional inefficiency. Older branch organizations are thriving at this point because they have learned to use the institutional tools which this society provides for social and political change. These groups are also limited to the rather narrow arenas within which these tools can be used effectively. But women within NOW have not limited the development of their ideas, but have gradually expanded its concerns from strictly legal and economic issues to social ones as well. According to National President Wilma Scott Heide, "NOW is becoming more radical both in its breadth of issues and their depth philosophically." The question is whether this "analysis of social and political institutions beyond the symptomatic evidences of sexism" will result in a change of activities as well.

The younger branch of the movement has had a different set of experiences which led to different problems and different activities. It was able to expand rapidly in the beginning because it could capitalize on the infrastructure of organizations and media of the New Left and because its initiators were skilled at local community organizing. Since the prime unit was the small group and no need for national cooperation was perceived, multitudinous splits merely increased its strength. Such fission was often "friendly," and even when not, brought ever increasing numbers into the movement.

Unfortunately, these masses of new women lacked the organizing skills of the initiators and, because "leadership" and "organization" were in disrepute, they made no attempt to acquire them. They did not want to deal with traditional political institutions and abjured all traditional political skills. Consequently, movement institutions did not grow beyond the local level, and often were inadequate to handle the accelerating influx of new people. Although the groups were diverse in kind and responsible to no one for their focus, their nature determined both the structure and the strategy of the movement. Because they are small and uncoordinated they take up small tasks that can be handled on a local level. Women have set up abortion counseling services, bookstores, liberation schools for teaching courses on women, day-care centers, film and tape production units, art galleries, re-

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search projects, theatre groups, rape squads, legal services clinics, employment services and rock and roll bands. Production of a feminist publication is one of the most feasible for a small group to handle, and there are many of them. A project is never the result of any national coordination or planning and reflects only the opportunities, needs and skills of the women engaged in it.

One result has been a very broad-based creative movement to which individuals can relate pretty much as they desire, with no concern for orthodoxy or doctrine. The younger branch has been the major source of new feminist ideas and activities. Its diversity of projects has allowed the talents of many women to develop spontaneously. It has shaped several ideological perspectives, coined much of the terminology of the movement, started an amazing number of publications and "counter institutions," invented numerous new issues and even new techniques for social change. The emphasis of this branch has been on personal change as a means of understanding the kind of political change desired. The primary instrument has been the consciousness-raising rap group which has sought to change not only women's attitudes but their very identities.

Nonetheless, this loose structure is flexible only within limits. The small group is an unstable base on which to build a politically effective movement. Rap groups tend to crumble when their members exhaust the virtues of consciousness-raising and cast about for something more concrete, but the problem is that few groups are willing to change their structure when they change their tasks. They have accepted the ideology of "structurelessness" without realizing its limitations.

While the rap group has been of fundamental value to the development of the movement, reliance on its style has led to a certain kind of political impotence. Its loose informal structure encourages participation in discussion, and its supportive atmosphere elicits personal insight; but neither factor is very efficient in handling specific tasks.

As long as the major concern of the younger branch could remain personal change, it did not have to face the problems created by its structure, but for the last three years the formation of rap groups and consciousness-raising has been obsolete as a primary function. The intense press publicity and the numerous "overground" books and articles have made women's liberation a household phrase. Its issues were discussed and informal rap groups formed by people who had no explicit connection with any movement group. Ironically, this subtle, silent and subversive spread of feminist consciousness produced movement unemployment. Educational work was no longer such an overwhelming need; service projects could be only part of the answer. What the movement desperately needed was some sense of direction, and new forms of organization to deal with new tasks in a new stage of development.

The younger branch of the movement has been caught in this bind for so long that it has become practically a way of life. The resurgence of feminism tapped a major source of female energy, but the younger branch has not yet been able to channel it. Some women are able to create their own local action projects, study groups, or service centers. Most are not, and the movement provides no structure to fit them into existing projects. Instead, such women are either recruited into NOW and other national organizations, or they drop out of organized activity. The latter rarely cease to be feminists; instead they apply their new ideas to their personal lives and individual concerns. As a result, new groups form and dissolve at an accelerating rate, creating a good deal of consciousness and very little concerted action. Most of the movement is proliferating underground. It often seems mired in introspection, but it is in fact creating a vast reservoir of conscious feminist sentiment which only awaits an appropriate opportunity for action. □

AN HONEST PROSECUTOR

THOMPSON SHOCKS COOK COUNTY

DON ROSE

Chicago

Much like the stopped clock that is right twice a day, the Nixon Administration has given enemies of the Democratic machine in the Chicago area two causes for joy: a revamped, independent and fair-minded federal bench in the Northern District of Illinois and a U.S. Attorney who has proved to be one of the nation's most effective prosecutors of corruption in high office.

The remarkable turnabout of what was one of the worst benches outside the South is itself matter for a future study; the rise of prosecutor James R. Thompson, no less remarkable, is certain to leave an imprint on the political as well as juridical life of the Second City.

The crusading prosecuting attorney, who bags top officials and lower functionaries of both parties alike, is more familiar to Chicagoans as a fictional hero than in real life. But Thompson, announcing indictment after indictment, conviction after conviction, appears on the evening TV news programs, not on some weekly crime show. He has become so real, in fact, that he is the first Republican in twenty years to be given even the slimmest chance of unseating Mayor Richard J. Daley. If, that is, Thompson chooses to run, and most observers believe he will challenge the Mayor in April 1975.

Thompson stops just short of declaring himself a candidate, but almost all his comments point in the direction of

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City Hall and he is averaging twenty-five speeches a month on the luncheon and banquet circuit. "The cities are where the problems are," he emphasizes, in full knowledge that, as one of the GOP's few shining lights these days, he could be nominated to almost any state office he fancied.

Thompson's growing popularity is based upon the dramatic record he has compiled in the federal prosecutor's office: from November 1971 through the end of 1973 he has indicted more than 250 persons and convicted 92 per cent of those who came to trial. But along with that he has emerged also as one of the most intriguing and forceful men in the public life of the community. Television reporters consider him the top personality on local screens, and feature articles deal as much with his passion for antique collecting and his role as Chicago's most eligible bachelor as with his performance in office.

His most significant overall contribution seems to be that, to a large extent, he has changed the rules of the game for the many politicians and public employees who engage in corruption as usual. They and their predecessors have made Illinois a national leader in corrupt practice, with Chicago and Cook County as the most notorious center of such activity. However, several other counties in the Northern District, where more than half the state's population lives, can offer Chicago a dubious rivalry.

Thompson is best known for his successful case against Otto Kerner, the former governor and one-time holder of Thompson's post, who last year became the first sitting judge ever to be convicted of a felony. Kerner, once thought to be the state's Mr. Clean, and Theodore Isaacs, his former revenue director, were convicted on a multiple-count indictment including bribery, income tax evasion, mail fraud and conspiracy. The case centered on race-track stock that was given to the pair by figures in the racing industry for the purpose of protecting their meeting dates. Track dates convenient to the gambling public mean big money to the industry. Thompson's hard-driving, almost evangelistic prosecution of the highly technical, complex case, admirably defended by Edward Bennett Williams, was a clear demonstration not only of legal skill but of courtroom theatre.

Less known outside Illinois but as much talked about here was the conviction of former Cook County Clerk Edward J. Barrett. Once the Illinois Secretary of State and a kingpin in the Democratic machine, the now senile, septuagenarian Barrett was nailed for bribery, tax evasion and mail fraud. An official of the firm that sold voting machines to the clerk's office testified, after being granted immunity, that he had paid Barrett handsomely to select his product. Barrett appeared to be in a permanent daze throughout the trial, seemingly unable to believe that he, of all people, could be tried in Cook County for accepting a routine, if fat, kickback.

Far beneath the sensational cases of top-name politicians who are involved in one or another illicit moneymaking scheme, scores of smaller public office holders or employees, including the police, assume that kickbacks, bribes, extortion and vote fraud are part of their everyday activities. Thompson indicted thirty such public servants, other than police and election officials, but including functionaries of the scandal-ridden county assessor's office, and convicted twenty-two by the end of 1973. None was acquitted. The stunned response to such convictions came not so much from the idea that someone had finally been caught but rather that people were going to jail for hitherto permissible conduct.

Two of the city's three Republican aldermen were convicted for a traditional aldermanic action: taking bribes from landholders and developers to obtain lucrative zoning changes in their wards. An aide to another alderman complained to me with anxious sincerity, "Nobody ever said we couldn't do that no more. It's not fair. Thompson should have given warning."

Similarly, by year's end Thompson had indicted eighty-one precinct captains and judges of election for a wide but routine assortment of vote-fraud activities, including ballot-box stuffing or tampering with voting machines, forging ballot applications, ghost voting and illegal "assistance."

Of the eighty-one persons indicted, forty-seven were convicted, only three acquitted and ten dismissed, and the balance are pending. Again, the reaction among the machine's election workers was incredulity. Vote fraud had always prevailed. Complaints came only from do-gooders, occasionally from a newspaper and the rare case that actually came to trial was handily disposed of by one of the local Circuit Court judges—men who themselves were seated as a reward for service to the machine.

Suddenly, the machine could not take care of its own. The reasons were not only that the U.S. Attorney's office had fallen to the Republicans and that Sen. Charles Percy had been instrumental in seating honest and competent judges on the federal bench, but that Thompson was making the fight against Chicago corruption a personal mission. And a host of new laws gave him the power to prosecute as federal offenses what were formerly designated state crimes. Certain crimes of violence, for example, can now be prosecuted as federal civil rights violations, and Thompson's greatly expanded civil rights division obtained the first criminal civil rights convictions in Illinois history. The Kerner and Barrett convictions, similarly, depended in part on new legislative technicalities giving federal jurisdiction to criminal actions involving marginal use of the mails.

Another development that has turned attitudes topsy-turvy is the indictment and conviction of policemen in massive numbers. In the past, police misconduct cases have been the toughest to bring successfully before a local jury, but Thompson indicted fifty-seven policemen for extortion and perjury, and convicted thirty-five by year's end, while only eight were acquitted. It is an extraordinary record.

The most sensational police trial involved members of an assassination squad tied to the narcotics trade; the most significant was the conviction of the highest ranking officer ever tried in Chicago. Capt. Clarence Braasch, while serving as a district commander, was top cop in an extensive ring shaking down taverns and businesses in his jurisdiction. His case was almost directly responsible for the resignation of Police Supt. James Conlisk, a close associate of Mayor Daley.

Conlisk himself was considered fiscally honest, but

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unable or unwilling to control the widespread and increasingly apparent police misconduct. Chicago newspapers continue to carry hints of more indictments of police to come and implications that more of those at the command level will be included. Even Daley, who never before acknowledged the existence of either police corruption or brutality, is conferring with groups ranging from the Chicago Bar Association to the Black Panther Party on ways to clean up the police force.

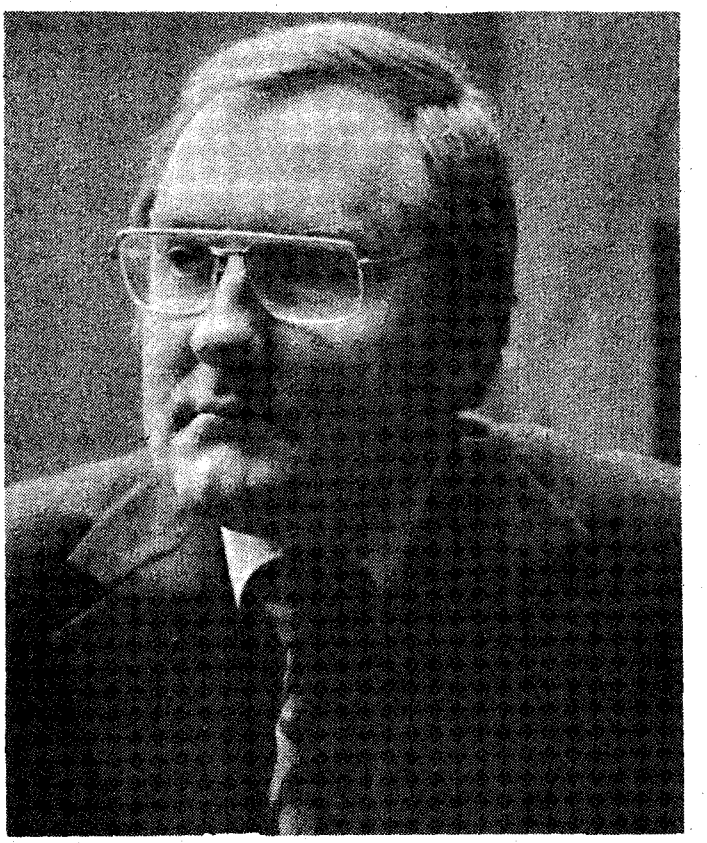
Watchers of the Thompson career are no longer startled by the constant stream of indictments. Rather, they now begin to ask two questions: How high up will he reach? How high will he rise politically? To the first question, it does not appear likely that Daley will be touched directly. It is a local truism that the Mayor is financially honest, or at least above the kind of temptations that have resulted in indictment or exposure of wrongdoing among his close associates. If there are a few genuine misdeeds in his past, as some believe, the tracks are so well covered that Thompson's office has no major investigations in that direction.

However, Chicago's number-two politician, Thomas Keane, is another matter. He is the most powerful alderman in the City Council, head of its vital finance committee and once considered Daley's chief rival. It is the conventional wisdom that Daley settled for the top power and Keane for the top dollar. Keane has become a multimillionaire, in large part through canny purchase of land. In many of these deals his position in the City Council was a benefit to himself and several cronies. A complicated series of maneuvers involving manipulation of zoning, tax relief and related ordinances has been carefully worked out to enrich the alderman. They were exposed by the *Chicago Sun-Times*, working with a civic watchdog group, the Better Government Association.

It is expected that certain of these complex, marginal actions may have crossed over into the area of the federally indictable. The new county prosecutor, State's Attorney Bernard Carey, was able to indict Keane and another alderman last year but, as expected, the case was dismissed by the local judge. A federal trial would be less predictable.

A Keane conviction would certainly crown the career of this handsome, 37-year-old, blond, bespectacled prosecutor, whose 6 ft. 6 in. 230-pound frame combines with his courtroom record to earn him the nickname, "Big Jim." It is in part a tongue-in-cheek appellation because it harks back to Chicago's last Republican mayor, "Big Bill" Thompson, who was an early contributor to the rich folklore of Chicago corruption.

"Big Jim" clearly has a high political potential, regardless of whether he is able to unseat Daley. He is a career public service man who has published widely in bar journals and co-authored three books. Thompson graduated from Northwestern University Law School in 1959, then worked for the Cook County State's Attorney's office until 1964, when he became an associate professor of law at Northwestern. Five years later he became chief of the criminal justice division of the Illinois Attorney General's office and then chief of its department of law enforcement and public protection.



Ron Nielson

In July 1970, he was made first assistant U.S. Attorney, a post he held until being appointed to the top job in November 1971. The man he succeeded, William Bauer, initiated some of the investigations that Thompson concluded so successfully. Bauer is now on the federal bench, one of the Percy-sponsored appointments that created the quiet judicial revolution there.

Thompson grew up on Chicago's West Side, where he watched the now black 28th Ward turn from Irish to Italian. He says he began steeping himself in Chicago political lore, which is largely a survey of rascality, at the age of 11, but he never joined a political organization. "I have always considered myself a liberal Republican," he said in an interview, "in part because of my national views but also because the Democratic Party here was closed and had so many problems." He said, however, that until joining the Attorney General he never voted in a primary election, which in Illinois requires a declaration of party.

Thompson is an interesting admixture of political views. He is a traditional liberal on public welfare and the role of government in coping with poverty and social issues; libertarian on issues such as the right to abortion, yet very conservative on the issues of criminal justice as they relate to civil liberties—in contrast to State's Attorney Bernard Carey. Thompson supports stop-and-frisk, no-knock and similar legislation, including limited wiretap; Carey, also a Republican, does not.

"These are important tools of law enforcement," says Thompson. "The problem is in the abuse of such tools, not in their rational use." He states firmly that he sees no violation of civil liberties in the existence of such legislation and does not believe law-enforcement officials

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should be denied their advantages because of potential abuse.

These views, of course, put him strongly at odds with the American Civil Liberties Union and fit into another aspect of his career: while teaching at Northwestern he was vice president of the self-styled counterforce to the ACLU called Americans for Effective Law Enforcement, founded by a right-wing colleague, Prof. Fred Inbau. But Thompson, perhaps because he refuses to engage in law-and-order rhetoric, is better liked by local liberals than are comparable officials who hold similar positions.

He is also a firm supporter of the grand jury system; he thinks no responsible alternative exists. "Certainly grand juries can be abused. But if a prosecutor respects the jury and its role there is no problem. We don't use them as rubber stamps." He thinks that "Washington's attempt to take over local grand juries is being phased out," citing what he and most of his ninety-three fellow U.S. Attorneys saw as deep cause for concern earlier in the Nixon Administration.

Thompson avoids direct criticism of the Administration in other areas, particularly the political prosecutions of Berrigan and Ellsberg, but it is clear that he disapproves of that thrust: "The nation's preoccupation with what they would call 'internal security' is fading; the 1950s mentality, McCarthyism, is dead; the Administration's brief preoccupation with it is diminished. We have other more urgent priorities."

It was Thompson who decided to drop the Chicago conspiracy trial after it was remanded by the U.S. Court of Appeals; however, he also decided to pursue the related contempt cases—against the advice of Washington—which recently resulted in dismissal of most charges, with several convictions but no jail sentences. "I felt strongly about disorder in the courts and lawyers going beyond the bounds. We didn't stop to calculate any political advantages or disadvantages."

His intense dislike of attorney William Kunstler, evident throughout the discussion, gives some credence to those who believe there may be a new federal move against the prominent radical lawyers. Yet Thompson also takes pride in the fact that Judge Edward Gignoux's carefully wrought verdict "set the outermost boundaries of deportment for lawyers." In judging as contumacious only such actions as actually impede the trial, "the freedom of lawyers to defend zealously has been maintained."

The persistent question that follows Thompson is the granting of immunity in corruption cases. The people who bribed Kerner, Barrett and the scores of lesser lights convicted in the federal clean-up usually got off scot-free in exchange for telling all. Critics say the briber is just as guilty as the bribed; that the granting of immunity gives crooked businessmen the option of bribing an official; then, if things get too hot, of turning in the official and escaping prosecution.

Thompson often maintains there is a violation of public trust when an official engages in a corrupt act. He then points out that, although granting immunity is a 100-year-old tool, only recently have the powers of federal prosecutors to grant immunity been enlarged—necessarily so in corruption cases—and thus come under scrutiny. "Bribery is a very secret kind of crime. Most often prosecutors only find out about bribery after it happens. Then you must have the testimony of one of the parties involved, because there are no other witnesses. Like every other prosecutor, I would like to prosecute both parties, but I can't always reach that ideal."

Immunity thus becomes the only means of getting one of the parties. But Thompson points out that his office grants immunity to the party that comes in first, whether it be businessman or public official, briber or bribee. "That encourages the flow of evidence."

The technique, he says, proves most effective in climbing "the ladders of corruption," going from small bribe-giver to bigger bribe-taker, then on to even bigger bribe-giver and so forth. He did this in his highly successful mopping up of corrupt real estate agents and developers who bribed functionaries of the regional office of the U.S. Department of Housing and Urban Development. Immunity was granted back and forth as he reached higher and higher among the culprits engaged in obtaining HUD approval of and financing for sickeningly inferior housing in one of the great consumer ripoffs of the decade. Through judicious use of back-and-forth grants of immunity Thompson indicted sixty-four persons, convicted thirty to date, with only one acquitted.

Like his counterpart in Newark, Herbert Stern (see *The Nation*, July 16, 1973), recently named to the U.S. bench, Thompson's success against corrupt members of both parties has gained him almost total discretion in the areas where he chooses to investigate and prosecute. Again as in Newark, because his territory has been such a sinkhole of corruption, the opportunities are rich. They have been shunned because politically indebted men held his post, which has always been a patronage plum.

It is a strong personal crusade for Thompson, who says he has seen Chicago corruption up close since the beginning of his career. "I know Chicago and I think I know where the bodies are buried. I vowed as a young prosecutor that if I ever had the opportunity to determine law-enforcement priorities in this community and had the resources to do it, I would try to get rid of corruption in government.

"Now I have it. I have eight grand juries sitting, the help of the Internal Revenue Service and the FBI, a large staff of top professional lawyers and a kind of unofficial mandate from the community to keep it up." He is carrying out that mandate in the city and is now heading for the equally ripe Chicago suburbs.

His skills command enough respect to make him more than just a Chicago specialist: he was called in on the case against former Vice President Spiro Agnew. But he is enough of a Chicagoan to have commented publicly after reviewing the case that Agnew was "a common crook and the country is better off rid of him."

The blunt, forthright remark drew a mild rap on the knuckles from Washington and a disapproving paragraph from former Attorney General Ramsey Clark. But it further endeared him to the local citizenry who recognize a tough, honest neighborhood kid when they hear one. They can take him to their hearts to almost the extent that they take a perverse pride in the depths of corruption he is fighting. □

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CONDOMINIUMS: NEW RIPOFF

LEONARD DOWNIE, Jr.

The condominium is the American real estate industry's newest quick-profit rage. During the 1960s, federal and state legal concessions made large-volume condominium sales feasible, and since then developers in San Francisco, Chicago, Boston, New York, Washington, D.C. and other cities, and at oceanfront and ski mountain resorts from Cape Cod south to Florida and west to the Rockies and California, have found it increasingly profitable to market apartment buildings as condominiums, selling individual apartments to home buyers. Because the demand for middle-class housing has recently outstripped the supply of reasonably priced, conveniently located detached houses in many areas, condominium housing has found a large and lucrative market.

Unlike the steadily growing popularity of earlier housing trends, explained San Francisco mortgage broker Robert W. Gaber, "an explosion of demand [for condominiums] reached, almost overnight, boom proportions." In 1969, the year before the boom began, only 5,000 new condominium units were sold; this year the National Association of Homebuilders expects that more than 220,000 will be built and sold. In addition, thousands of existing apartment buildings are expected to be converted into condominiums.

Developers and their financial backers have quickly recognized the bonanza opportunities in the condominium boom, but public officials who are supposed to watch out for the consumers' interests were taken by surprise and have not yet caught up. As a result, for tens of thousands of Americans who have paid over their money without fully understanding what they were buying, condominiums have become the newest national consumer problem. Widespread complaints of shoddy construction, poor maintenance, hidden costs and contract chicanery have produced hundreds of lawsuits against condominium developers, and prompted a number of state, county and city bodies to consider new legislation this year for the regulation of condominium development and sales.

Buying into a condominium means purchasing one unit of a multi-family residence—be it in a big city apartment building, a suburban "garden apartment" or "townhouse" development, or an ocean beach or mountain resort or retirement high rise—as opposed to renting an apartment or buying a traditional single-family house on its own lot. (In an earlier form of apartment ownership, the "cooperative," each tenant buys an interest in the whole building, this share entitling him to residence in a specific apartment. This type of ownership is found principally in New York City.) Usually, the buyer of a condominium unit also buys a proportionate share of the building's common areas and facilities—from the lobby, utility plant and outdoor grounds to the swimming pool, tennis courts or other leisure amenities that often are the heavily advertised selling points of new condominiums.

What the salesmen emphasize most enthusiastically is the idea of owning your own apartment rather than renting it. The changes in federal and state laws during the 1960s made condominium buyers eligible for the same FHA mortgage insurance and the same attractive income tax deductions for mortgage interest and real estate taxes as are enjoyed by owners of single-family detached houses. Why pay out thousands of dollars in unrecoverable rent money when you can accumulate equity by buying your own apartment? And why pass up the tax benefits?

A condominium is supposed to cost less than a single-family house of the same floor space, while offering convenient recreational facilities and professional maintenance. However, many condominium buyers have found that, when all the extra fees are added up, the apartment has cost them as much as, or more than, they would have paid for a detached house. And, after paying from $20,000 to a good deal more than $100,000 for their condominium homes, they may well discover that the construction or renovation work is poor and that the maintenance fees and real estate taxes are rapidly increasing far beyond what they had expected. On top of that, many buyers are also charged monthly rental fees for the common areas and recreational facilities they thought they had already bought outright. Thousands of even more unhappy condominium customers lose their entire down payments and months of fee payments to developers who never finish condominium projects or who use one of many tricky technicalities in complicated sales agreements to swindle already resident tenants out of taking title to their apartments.

The condominium boom is also creating serious social and environmental problems. In many cities, elderly people living on fixed incomes have been summarily evicted from older, moderate-rent apartment buildings, so that these may be rapidly converted into high-priced "luxury" condominiums. On the edge of cities, the sprawl of suburbia that continues to chew up former farmland at an alarming rate has begun to take the form of condominium low-rise "garden apartments" and rows of attached "townhouses." Beyond major urban areas, ocean dunes are being lost to hastily constructed condominium high rises, and mountain forests are being similarly invaded.

Condominium housing is as old as Imperial Rome, where 2,000 years ago the scarcity of land in the crowded city-state and the Roman genius for construction produced large brick apartment buildings in which units were sold to their residents. The concept has reappeared periodically in Europe. The multi-unit housing crowded inside walled medieval cities was sometimes sold on a condominium basis. And since World War II, condominiums have been the most popular form of middle-class housing in Paris and other big European cities.

Until recently in the United States, however, a seem-

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ing abundance of land and our preference for owning a bit of ground of our own left no market for mass condominium real estate sales. Residential developers made most of their money by buying rural land cheaply and putting up tract homes to be sold on the attractive terms made possible by the FHA and home owners' tax benefits that are underwritten by us all. But by the 1960s, escalating prices for increasingly distant suburban land and steadily rising material and labor costs cut the profit margin in sales of detached single-family homes, and many developers turned to building and renting apartments. While collecting rent, they were able to enjoy much of their income tax-free by claiming large depreciation deductions on their buildings.

It was also at about this time that Congress and several states extended FHA mortgage insurance and standard real estate title and mortgage rights to apartments sold as condominiums. However, not until the 1970s did developers begin to push condominium sales in large numbers. The big move came when apartment building owners found that their rental profits were being reduced by rising maintenance costs and the spread of rent controls. Furthermore, once the years of maximum depreciation had passed for any given building its owner wanted to sell, and he soon found that he would get much less by selling it to another landlord for continued rental than he could by selling individual apartments, after a little cosmetic renovation, to home buyers. Soon, builders took the obvious profitable step of putting up apartment houses for immediate condominium sale.

Said James C. Downs, chairman of the Real Estate Research Corporation in Chicago, "Rental properties are obsolete in an inflationary economy. You simply cannot make any money on them because rents are too low and you can't raise rents fast enough to keep up with rising costs." In Washington, D.C., the return on investment for rental property has suddenly dropped from around 12 per cent to 5 per cent and lower, according to John T. O'Neill, head of the local Building Owners and Managers Association in what had been the best rental housing market in the country. But an apartment building that was not making much money on rentals could easily be turned into a gold mine by converting it to a condominium.

"Take a property with units currently worth $10,000 to $20,000" each for rental purposes, O'Neill said. "You can put in a new kitchen, new appliances, carpets, drapes, better bathroom fixtures, and sell the units for $25,000 to $28,000" each. The average cost of improvements made in the typical converted condominium apartment selling for $25,000 last year, according to the National Association of Homebuilders, was only $1,200. So, even after paying for the cost of marketing the apartments, a developer can often clear a profit of 25 per cent or more by converting the average apartment building into a condominium.

And just because the seller spends as little as he can get away with, condominium buyers often inherit heating, wiring, water-pipe and other building problems that will cost them dear once they collectively own the building. Misrepresentations about the extent of renovation and the true condition of a converted building are among the most common complaints. As a result, local governments are now considering regulations to require condominium salesmen to prove that the buyers were provided with, and understood, an accurate, detailed engineer's report on the building's condition.

Many condominium sales agreements require that the monthly maintenance fee be paid to the developer selling the condominium or to a building management subsidiary he has set up. Thus, the developer can insure himself a continuing profit over the years by keeping the management fees higher than the actual cost of maintaining the building. By the time apartment buyers come to understand this arrangement, usually after watching their maintenance fees steadily increase, it may be too late for them to break the management contract. And if they do succeed in breaking the contract or in keeping the developer out of the management of their building in the first place, how do condominium buyers go about choosing a better manager? How can they properly supervise the upkeep of boilers, air-conditioning and roofs?

In addition to unanticipated maintenance costs, buyers of converted condominium apartments are often surprised by large immediate increases in their property taxes. The reclassification of a building from rental to home ownership often doubles its taxable market value, making each new apartment owner liable for real estate taxes twice or more as large as he expected. And, as the building's market value continues to increase with inflation, so does the tax bill.

It is not unusual for an apartment buyer, who was told at purchase time that he would pay $250 a month on his mortgage, plus $60 for maintenance and $40 for real estate taxes, to find himself in a year or two paying more than $100 each for maintenance and real estate taxes—the equivalent of having his "rent" suddenly jump from $350 to $450 a month. Of course, that sum is not supposed to be rent. The buyer expects to build equity with his mortgage payments and to deduct from his taxable income each year the mortgage interest and real estate taxes (but not maintenance fees).

However, purchasers of converted condominium apartments are apt to find that they cannot begin to accumulate equity and enjoy tax benefits as soon as they had expected. In many states more than half of a building's units must be sold before it can legally become a condominium. Some sellers manage to use trick clauses in long, complicated sales agreements to delay the transfer of title to individual apartment buyers even longer than that. In one Washington apartment building, recently converted to a condominium, a number of buyers did not discover until nine months after they had moved in that they still were legally only renters, pending title settlement, and that each had lost hundreds of dollars in payments not applied to their mortgages and in home owners' deductions they were not able to take on their income taxes. Instead, the building's landlord was keeping their payments as rent and using the building for his own tax deductions. It was all perfectly legal.

Worse things have happened to prospective purchasers of apartments in brand-new buildings, especially

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in Florida, where condominiums account for 75 per cent of all for-sale housing going up in the state. In Dade County (Miami and environs) the number of condominium building permits doubled from 1971 to 1972; in November 1972 the state Pollution Control Department banned further granting of permits until more sewage treatment plants could be built. North of Miami in Broward County (the Fort Lauderdale area), land that had been selling for $1,500 to $15,000 an acre in 1970 is now selling for $25,000 to $80,000 an acre to condominium developers. Philip Montante, the local prosecutor, said that more people are swindled buying condominiums in Broward County "than anywhere else in the United States."

To begin with, most condominiums there and elsewhere in Florida are sold, frequently to out-of-state buyers, before construction begins or is very far along. The developer uses the deposits and down payments to defray some land purchase and construction costs, with a construction loan from a bank or savings and loan association covering the rest of the "front money." That way, he need put no money of his own into the venture. Then, if the developer fails to finish the project, as has happened in Florida and elsewhere, and someone else takes it over through foreclosure, buyers may lose their entire deposits and down payments.

More common are agonizing delays of construction, and still more waiting after the buyer moves in before he gains legal title. Furthermore, thanks to hidden escalator clauses in many Florida condominium purchase contracts, the monthly payment after title settlement is often much higher than originally stated or than it would have been, according to the contract, if the building had been finished and fully occupied on time.

Buyers into most Florida condominiums discover too late that they did not buy a share of the building's recreational facilities along with their units. The developer has retained ownership of these facilities and, under a ninety-nine-year lease, rents use of them to each tenant at from $25 to $100 or more a month. As *Dun's*, the financial journal explains, "For the developer, the leasehold clause means an enormous windfall, spread over a long period. He may spend $300,000 for recreation facilities and lease the facilities to condominium owners for $100,000 a year; in three years he has his investment back and goes on to collect $100,000 a year for the next ninety-six years for doing nothing."

To make certain that they collect this rent and that the condominium apartment owners never successfully revolt, many Florida developers have the leasehold written into each deed as a mechanic's lien, which takes precedence under Florida law over even the mortgage on each unit. If the apartment buyer doesn't pay the facilities rental fee, his apartment can be sold out from under him. And in many of the leasehold clauses, there is a "cost-of-living" escalator that steadily raises the recreation facilities rental fee. Recently, attempts have been made in the Florida legislature to modify or outlaw this "release" clause, but they have thus far been unsuccessful.

Buyers of new condominium apartments protest against poor construction work and broken promises made by salesmen. A frequent complaint made to Mayor Milton Weinkle of Hallandale, a booming Broward County condominium community, is that room sizes are much smaller than promised by the salesmen and that many touted features are missing or of poor quality. "Sure we have abuses that may constitute fraud," Weinkle said, "but that's the business of the State's Attorney, not us." But the prosecutor explains that, because of inadequate Florida laws and the legality of book-size condominium sales agreements that take precedence over salesmen's oral promises, there is little he can do about the abuses.

Poor construction is a national complaint about new condominiums, especially in the increasingly numerous attached "townhouse" developments going up in the suburbs, according to a national survey made of condominium buyers by the Urban Land Institute, a nonprofit housing research organization based in Washington, D.C. Developers are building more and more townhouse condominium communities because they require less land per unit than detached homes and cost much less per unit than either detached homes or high-rise buildings that require elevators and must comply with the structural and fire prevention requirements of most local building codes. Often the less expensive construction of these townhouses translates to "cheap and shoddy" in the terminology of home buyers quoted in the Urban Land Institute survey of condominiums in several price ranges built and sold recently in suburbs outside San Francisco, Los Angeles, San Diego and Washington, D.C.

Belatedly, government officials are beginning to consider ways to curb the excesses of condominium developers. A new national model building code being urged on the states by federal officials could help improve construction quality. The Securities and Exchange Commission has ruled that sellers of certain kinds of condominiums must register their offerings and submit to SEC regulations on sales practices. The Department of Housing and Urban Development is cracking down on sales practices for recreation and vacation developments that are registered with it; these include some condominiums.

Several states—New York, Maryland and Virginia, among others—are considering protective measures for tenants of apartment buildings about to be converted to condominiums, including ninety-day notice for evictions and restrictions on the conversion of buildings in which a certain percentage of tenants oppose conversion or have not been offered a realistic opportunity to buy their own apartments. Some states are studying ways to simplify condominium sales agreements and to increase buyers' defenses against entrapment. Although too few know it, condominium buyers in many places already have the right to abrogate their purchase agreements at any time before enough units have been sold to make a building legally a condominium.

As of this writing, however, none of the proposed state or local condominium regulations has been approved. In their absence, as Florida state Rep. Alan Becker of Miami said after the bill to outlaw ninety-nine-year recreation leasehold clauses in condominium agreements was defeated last year: "What we have seen is free enterprise temporarily prevailing over justice." □

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BOOKS & THE ARTS

Who Says Piratical Capitalism Doesn't Pay?

MULTINATIONAL COMPANIES & THE THIRD WORLD. *By Louis Turner. Hill & Wang. 294 pp. $8.95.*

ASHER BRYNES

Midway in this account of the dealings of worldwide corporations like ITT with less developed countries, the author, pictured tieless at work in the Royal Institute of International Affairs in London, stops to tell a story about those busses that climb up and down the hills of Jerusalem, creaking and groaning. Readers who have been there will remember that they make even more piercing noises around the street corners in Tel Aviv where the ground is flat. In 1971 the Israeli Government objected to the price that the Leyland Motors Corporation, the English multinational with the only local plant for assembling busses, planned to charge for them.

The Israeli economy unfortunately does not use enough busses to support a competitive assembly plant of that kind, so Leyland-in-Israel is perforce a monopoly. The exchanges between Leyland and the government were an argument over price and credit terms. Leyland wanted a price rise calculated to give it a profit of 6 per cent on turnover, that is, on each bus sold to the government. Computed on an *annual* basis this would add up to 25 per cent of its total investment in its Israeli subsidiary. In the showdown the multinational got most of what it wanted, an illustration of what usually happens in such cases.

"There is a major problem," Turner goes on to say, "because firms and governments so often have a totally different idea of what a fair profit is. The firms aim at returns of around 15 per cent annually on the capital they invest. . . ." Multinational corporations expect to earn overall twice as much as the governments of Third World nations think they should be allowed to keep—i.e., about 25 per cent as opposed to 12 per cent to 14 per cent—and perhaps remit to their home capitals funds which would thus be lost to the host country and to the possibility of favoring its economic development. The tragedy is that both sides are equally sure they are justified in their expectations, the one of present earnings, the other of future growth. Leyland Motors is a firm with more than a generation of *past* growth in a mature economy built into its outlook. The Third World statesmen, however, are looking ahead so hard from where they are that they can only assume Leyland should look ahead along with them.

Mr. Turner is content to note the difference in viewpoints and predict future trouble. He sees nationalistic biases cropping up everywhere. Each one of the countries of the Third World, no matter how small, will insist it has a destiny of its own. The problem for the rest of us is how to mediate such confrontations where they crop out.

Three years after the end of the last World War the United States set up a program of economic assistance to the nations of Western Europe. It operated under a new agency called the Economic Cooperation Administration and dispensed $17 billion, mostly as grants to European countries. When the various national economic indicators—the GNP figures computed by the United Nations for its members—showed that, thanks to such low or no interest-bearing funds from the United States, they had recovered from the destruction wrought by war, these foreign aid operations began to shift toward another agency, the World Bank. Organizationally, the World Bank is a joint stock association of which the nations that put up its capital are the only voting members. Since the United States put up most of the capital, its influence has remained dominant.

The basic drive of the management of the World Bank has been always to make its operation "bankable." That means, first, to examine the purposes for which countries seeking aid affirm that they will spend money; second, to allocate those funds in reasonably repayable amounts. In the beginning, in the early 1950s, the interest charged by the World Bank was set at 4 per cent, the level so frequently quoted by Mr. Turner as being in the minds of most Third World statesmen twenty years later. Which provokes a question: how did it get so fixed in their heads?

In 1953 Joseph Stalin died of a stroke, and after some fumbling Soviet Russia's new management under Bulganin and Khrushchev decided to offer *their* allies and satellites their own brand of foreign aid. Their opening move was to discount the Americans by almost half. Soviet aid loans carried interest charges of 2 to 2.5 per cent and were repayable in ten to twelve years. With little of this Soviet economic aid still being given, the last cumulative figure for their aid lendings is well under $10 billion. The Americans topped it many times over. Moreover, the United States put pressure upon the directorate of the World Bank to set up regional "soft loan" departments for the Mideast, for Asia and for Central and South America, which were capitalized to make loans to the poorer countries at a further discount from the Soviet rates: interest at 1⅞ to 2 per cent, and the principal amounts repayable—this is a truly important difference—in forty to fifty years.

There is, of course, little of this super-low-interest aid money available today. All the world (except the Arabs) seems to have fallen on hard times. The World Bank has raised its interest charges to about 6 per cent. Nevertheless, the waiting lines for that 6 per cent money have grown longer and longer since 1969. And still the Third World remembers those bargain rates. Meanwhile Robert McNamara's people—he is still the head man at the World Bank—have to keep reminding their client countries that there is operating in the economics of foreign development, with funds raised in the money markets of industrial countries, a factor that might be called the calculus of risk. World Bank bonds in amounts limited by law are guaranteed by the U.S. Government. If and when U.S. investors become unwilling to buy them at the guaranteed rate, the Bank's capital will duly shrink to the rate of repayment on its outstanding loans.

Riskless investments such as deposits in insured savings banks earn rock-bottom rates of interest in U.S. money markets today. As one can see on almost every signboard, these rates are no longer 2, 2.5, 4, 4.5 per cent; they are about 7.5 per cent or, for time deposits, 7.99 per cent.

Ordinary banks charge about 10 per cent on their least risky loans, or on what they call prime commercial paper. Only the largest and oldest and most stable of domestic corporations qualify for such lendings. As for the British, the current

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prime rate of the Bank of England is 13 per cent. No outfit like Leyland Motors has even a hairline chance of raising a loan on such terms. In banking circles, automotive industries—and in England this includes Rolls-Royce—are reputed to be too "cyclic," too up and downish, to be trusted.

What then is the normal calculus of risk for established enterprises in the American economy today? I have a report on "Manufacturers' Net Worth and Profits (in the United States)" plotted in graph form through the second quarter of last year. It shows profits of about 14 per cent after taxes and still climbing. I have another report of *all* corporate profits, including those of manufacturers, after taxes through the third quarter—and all the climb is leached out of it. It's almost flat. Let's say, then, that the present calculus of risk for established enterprises here is about 14 per cent, or almost exactly at the level the Israelis tried to get Leyland Motors to accept in, of all places, the troubled Mideast, which has suffered four wars and where the Arab economies surrounding Israel, and even as far away as the Persian Gulf, share in the instabilities of the area.

What we have now is a forced peace. The oil-producing Arab states persist in their intention of punishing the United States as the explicit ally of Israel, and the nations of Western Europe and Japan because they are in alliance with the United States through NATO and other such instrumentalities. Their politically inspired oil embargo has been followed by a rash of price boosts. These have spread everywhere oil is produced—Venezuela, Nigeria, Indonesia, Iran. Raw petroleum costs, worldwide, are four to five times more than the posted oil-field prices of two years ago.

The immediate effect of this inflation was reported by Reuters, the international wire service, on January 5: "Pakistani banks are nationalized; shipping and oil companies are also taken over." Of course Pakistan has had a succession of troubles since its defeat by India, and the secession of Bangladesh, and last year's floods, but it is one of the larger underdeveloped nations, with a population comparable to that of Japan. It had a trade deficit of almost half a billion in dollars last year. Now, what broke the country's back, as the Finance Minister put it, was "the oil spiral . . . we really don't know how to make ends meet."

Many other Third World governments are as seriously threatened with instability as Pakistan. Specifically, in 1973 the cost of oil imports in Pakistan—a Muslim country, by the way, professing the same orthodox faith as the Saudi Arabians—rose from $60 million to $350 million, a jump of almost six times over the previous price. This washed out a full third of the nation's revenues from exports.

The other recent crisis victim is Japan. In the economic rankings Japan almost figures as a superpower, the third most prosperous country after the United States and the Soviet Union. Since their postwar recovery in the 1950s, the Japanese have maintained a special foreign assistance program for South Korea. It was generous, by Japanese standards; they have always been hard-nosed in these matters. Last year Japan's assistance to South Korea cost $140 million. This year it announced that it was reducing the sum to $90 million. It doesn't give reasons for this action, but Japan is completely dependent on oil imports. About 80 per cent of its petroleum comes from and is priced by Arab nations. So at the moment the Japanese feel as poor as the Pakistanis.

The oil crisis was still at a subacute stage when Louis Turner finished his book last year. Then Libya, whose oil fields were hurriedly developed after the closing of the Suez Canal in the Arab-Israeli War of 1956-57, was in the center of the action. Since its oil flowed out of the ground in an area directly below Western Europe and across the Mediterranean, Libya moved up economically to become the country upon which Europe depended for a third of its petroleum supplies. In 1969 the superannuated King of the country was deposed by a group of officers who were emphatically orthodox in religion but looked to Gamal Nasser of Egypt for guidance in politics.

Although outsiders found it difficult to square these two attitudes at the time, the influence of the new regime on Libyan sales of oil was immediate. It hiked up its revenues from oil by about 30 per cent, then in the year following (1971) by 80 per cent over that. At this point the global Organization of Petroleum Exporting Countries shifted into high gear. The current oil earnings of the members of the group now total, on an annual basis, about $50 billion.

Like practically all the nations of the Third World, the members of the OPEC aspire to be industrialized. Now they discover that the fortuitous finds of oil in their areas has enabled them to extract about four times as much money from the industrial nations as these rich ones were willing to give, voluntarily, to all the poorer countries. The cumulative figure for all foreign aid comes to some $13 billion annually, which is about one-fourth of $50 billion. Who says that piratical capitalism doesn't pay?

The other half of Mr. Turner's theme concerns the future of the multinational companies. Among them, the international conglomerates producing, refining, shipping and distributing oil rank high. At the moment they are busy paying the escalating royalties demanded by the producing nations and, at the same time, many of them are buying as fast as they can into other-than-oil energy sources: into coal and uranium particularly. Uranium, the basic nuclear fuel, is so widely scattered over the earth's surface that no nation or group of nations can hope to monopolize the supply of it; and as for coal, a third of all the world's known coal reserves lie in the continental limits of the United States. There is more than a century's worth of coal here, even if it is mined at the most rapid rates projected by the experts at the Federal Bureau of Mines.

As we have seen, the foreign assistance programs of the industrialized nations have begun to be cut back. And typically, as in the case of Pakistan, the oilless but still undeveloped countries will turn to the further nationalization of their economies. Nationalization in such cases is simply a protective device; it has little resemblance to any equalitarian reform of the economic structure of the country. The functional basis of such a shift was foreshadowed by the announcement from Cairo recently that Egyptian Prime Minister Sadat intends to step down and retire. His place is to be taken by Egypt's Minister of Finance, an economic expert, who is to *dismantle* his country's "Socialist" economy.

For the rulers of the oil-rich countries are so conservative that they prefer to keep their money in cash or in gold. Having been feudal in outlook until very, very recently, they will trust persons rather than organizations, bureaus, collective bodies. In short, the Egyptians are certain that the Saudis, Kuwaitis and others will lend sizable portions of these precious dollars to Egypt if their aid contracts are signed by a financial magnate of sufficient eminence to be held personally responsible for the repayment of the loans.

The less developed countries are normally too poor to save much. Their oilless governments are always short of capital. In the present world of toughening circumstances, multinational corporations persist in carrying on as much business as they can, so they come bearing *valuta*, hard cash. When their local activities are investigated they present written contracts drawn up in conformity with the public laws of the region in which they are operating; when asked about bribes, they say they have already

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given them to the proper officials. Such is the custom of the country.

Turner is full of advice for them. "Economic nationalism is an idea whose time seems to have come," he says in the first chapter. And in the last paragraph of his last chapter he says, "The increasing attractiveness of the expanding Third World economies have shifted the balance of power away from the multinationals." But that's true today only in underdeveloped countries that have reserves of oil. It will be true tomorrow in those that have zinc, lead, copper, tin, silver or other scarcening commodities.

In the present world situation the multinationals that still have the power to offer fresh supplies of capital to Third World nations will not see that power diminish. True, there will be competing offers of capital; but the auspices are that the multinationals will still be able to put their money profitably into Third World resources. For their purpose is economic viability, not politics. □

Serving the Larger Design

THE CRITICAL POINT: On Literature and Culture. *By Irving Howe. Horizon Press. 232 pp. $7.95.*

CHARLES BAZERMAN

Reviewing a collection of critical essays almost necessarily involves some distortion of the author's meanings and intentions. Ordinarily, we seek out a book containing comments on works as diverse as Dostoevsky's notebooks and Kate Millett's *Sexual Politics* when we are particularly interested in one or another of the works discussed. Or if we admire the critic and enjoy random discoveries, we might leave the book for our random half-hours. In either case, of course, we read the essays individually and value them for the light they shed on the absent third party, the literary work under consideration. However, in reviewing such a collection, we read all the essays over a short period of time and focus more on the criticism than on the work discussed. Sometimes we are unfamiliar with the subject of an essay; often it is only a distant memory. Even if all the subjects are fresh in our memory, we gloss over the individual essay to consider the entire volume at one go. The temptation is strong to engage in critiography: we look for hidden unity, underlying themes and methodological innovations; we compare the critic's current attitudes to his earlier ones; we foment controversy by pitting a critic against his colleagues. In short, we ignore the purpose of the volume: to present some comments on issues of interest to the critic.

Most of Irving Howe's literary comments are provocative and well-taken. After having read his book I found his opinions infiltrating my own conversation. For example, the preceding comments on reviewing are an extension of Howe's introduction.

Howe is at his best when exploring the ways to read and judge a book according to the standards implied by its special character. He makes accessible the unappreciated and deflates the passing fashionable. "Zola: The Poetry of Naturalism" discusses the energy which makes *Germinal* more than an essay on determinism. Howe defines the underlying myth of the novel as that of the dumb acquiring speech. "The rich and heavy impasto" of Zola's style seeks the right level of coarse strength to capture the spirit of the miners' resistance to oppression and speechlessness; and as the miners discover their voice, they enter an active and complex world that is more treacherous than the one they have left behind.

In "The Plath Celebration: A Partial Dissent," Howe takes a look at the role of confession in poetry. He makes a distinction between the admiration we have for courageous self-revelation and the satisfaction we get when "notation of incident or memory" is transformed by art into "a network of implication." Sylvia Plath's achievement is sorted out between the shocking and the poetic; her notable talent, though often used self-indulgently, showed its strength in a few final poems. Those poems reflect the limited vision of a woman in an extreme state—not the general illumination that her admirers claim for them.

Howe's understanding of genre redeems even those passages that are ensnared in criticism of criticism. By examining the nature of satire he demolishes a defense of Philip Roth's exaggerations:

> To compose a satire is not at all to free oneself from the obligation to so-

Charles Bazerman, who teaches English at Baruch College, City University of New York, has written on modern fiction and Renaissance literature. He is at work on a critical study of the contexts of poetry.

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THE POOR

Unlike the rich
who have faces
they have bellies that bloat
and cats
with one beautiful eye—
only one: their balloons
are lost children
on the road.

Their mirrors
don't recognize them:
when there's no wind they appear
in the wake
of great liners
like flotsam: they may be seen
at mid-ocean
through wrong-way telescopes
for a dime.

Tom Jones

cial accuracy; it is only to order that accuracy in a particular way. If it can be shown that the targets of the satirist are imprecisely located or that he is shooting wild, the consequences may be more damaging than if the same were shown for the conventional realist. And if it can be shown that the satire is self-serving—poor Neil, poor Alex. . . —then it becomes—well, imagine how absurd *Gulliver's Travels* would seem if we became persuaded that the satiric barrage against mankind allows for one little exception, a young hero troubled by the burdens of being English and resembling Jonathan Swift.

Howe's literary insights always serve the larger design of the essay. Even in the rambling form of the literary appreciation he manages to circle in on the subject—in this case the poetry of E.A. Robinson. By the accumulation of fact, example and discussion, the reader is persuaded of the virtues of Robinson's magnificent plainness.

Unfortunately, when Howe leaves purely literary grounds for the realms of politics, history and psychology, partisanship mars his judgment. He overreacts and misses the point when Freud is blasphemed; he creates a baroque apology for socialism in American society; and he condemns Ezra Pound by tautology. His partisanship is honest and open—witness this title, "The Straight and the Crooked: Solzhenitsyn and Lukacs"—but he does not recognize its limitations. In that essay Howe believes he rejects Lukacs' distinction between the plebeian mind and Socialist consciousness.

The central criticism Lukacs makes of Solzhenitsyn is that the Russian novelist writes from the strong but limiting perspective of the plebeian mind, rather than from a socialist consciousness. Lukacs grants that Solzhenitsyn's criticism of Soviet society is "rooted in a genuine hatred of social privilege"; it is tied by numerous filaments of attitude to the "plebeian social view" of such Tolstoyan characters as Platon Karatayev in *War and Peace*; but it lacks, as it must, the historical perspective, the theoretical coherence that can alone be provided by the "socialist" outlook.

Howe's answer, which is really no answer, is that he prefers "empathy with the lowly and mute" to the machinery of the Socialist state. To prefer one part of a distinction is not the same as to annihilate that distinction. In this journal some months ago, a writer asserted that we have difficulty seeing Solzhenitsyn as a Russian writer with a complex relationship to his native land, because we want very much to enlist him in our anti-Communist cause. In this light the views of a Communist critic might prove salutary. One need not agree with Lukacs' politics to realize that his comments offer important clues about Solzhenitsyn's position as a Russian and as a Soviet citizen.

Howe's vituperations against Kate Millett express his anger at gratuitous insult and score sharply against her limited sympathies and deficient historical knowledge—but miss the point of her complaint. He grants that there are inequities on the basis of sex, but at every point where Millett examines how deeply rooted those inequities are in our habits, he comes back with a barrage of digressive arguments, from biological differentiation to sentimental stories. His refrain is that the world is complex and other forms of oppression exist. It may be true that oppression is invented wholesale, but it is eliminated only item by item as the oppressed learn to speak for themselves. When discussing a 19th-century French novel, Howe shows sympathetic understanding of the difficult process by which the downtrodden learn to speak. It seems odd that as the voices get nearer, he finds the story harder to comprehend. □

The Time of Joe McCarthy

WHEN EVEN ANGELS WEPT: The Senator Joseph McCarthy Affair—A Story Without A Hero. *By Lately Thomas. William A. Morrow & Co. 654 pp. $12.50.*

THE AMERICAN INQUISITION: 1945-1960. *By Cedric Belfrage. The Bobbs-Merrill Co. 315 pp. $8.95.*

MATTHEW JOSEPHSON

To see and hear Sen. Joe McCarthy in the days of his prime some twenty years ago, roaring around Capitol Hill and sounding the alarm about Communists "taking over" our poor helpless little country, you might have been suitably impressed and would hardly have believed that his eclipse would follow so quickly and would be so complete and so dark. Even those commentators in the press who disapproved of him respected his prowess: Gilbert Seldes called him "a great demagogue"; Richard Rovere attributed to him something like "authentic genius." In less than five years there came the great man's downfall, as he suffered a kind of impeachment by a sweeping vote of censure at the hands of his fellow Senators; and people promptly forgot about him. Will people be as quick to forget about Richard Nixon, a very different and more calculating personality, who was also long associated with anti-Communist crusading?

We have had demagogues aplenty in our history. The late Richard Hofstadter studied them, McCarthy included, in his discerning volume: *The Paranoid Style in American Politics.* Joe McCarthy, as patrioteer, tried to frighten the public about the safety of the nation, but he himself, as it seems now, had no paranoiac fears about the puny Communist movement. Indeed, Lately Thomas' new biography shows us that, during long years in local Wisconsin politics and several years in the Senate, McCarthy admittedly "knew nothing" about communism and scented no danger from that direction to our capitalist system. Arriving in the Senate as a well-advertised war hero in 1946, he occupied himself with administering favors to diverse businessmen's lobbies in a moderately corrupt style. It was only in January 1950, when he was cudgeling his brain for some live issue to use in his approaching re-election contest, that he took up the question of Communist "subversion" in America, when it was proposed to him by Father Walsh of the Georgetown University faculty. At about the same time someone had leaked a three-year-old, somewhat discredited FBI report of alleged cryp'ɔ-Communists

Matthew Josephson is the author of the now classic work, The Robber Barons, *and a score of other books. He has contributed articles to this journal since 1930.*

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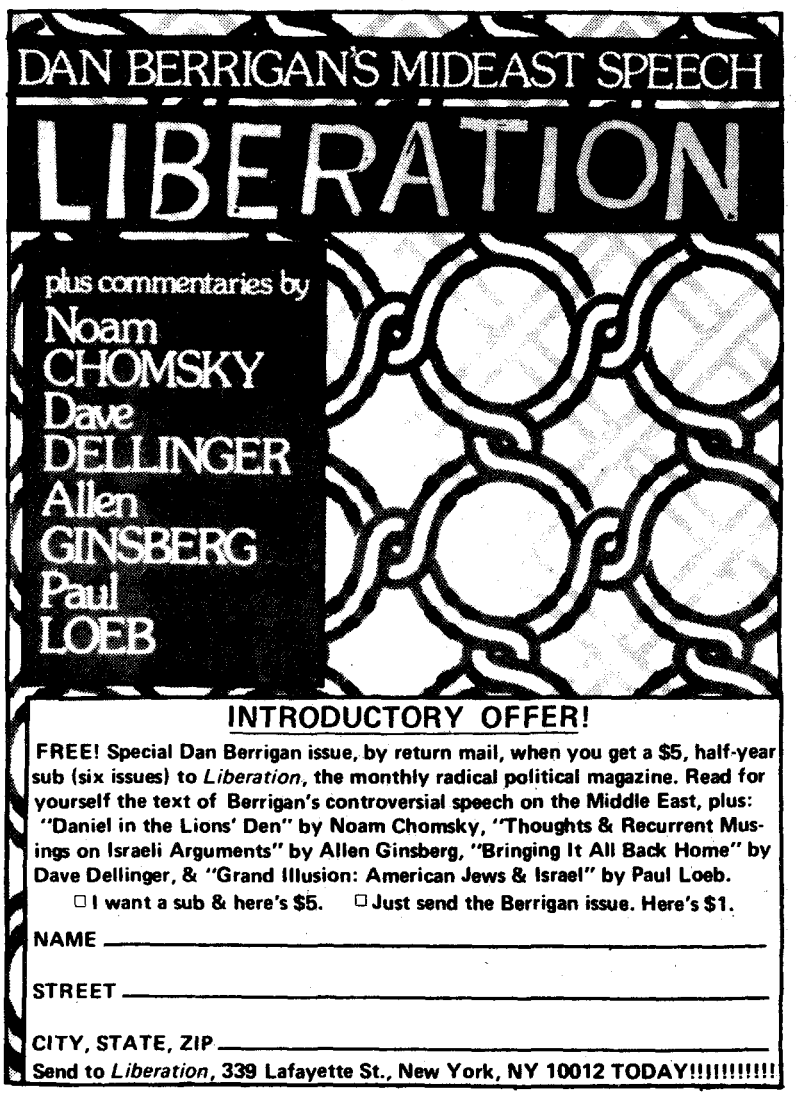
in the State Department. Now Joe McCarthy, a high-spirited but undereducated man, took fire; he hastened to Wheeling, W. Va., to make a speech before a Republican club about there being "two hundred and five . . . known to the Secretary of State as members of the Communist Party" who worked to shape the policy of the Department of State. Later the number was reduced to "fifty-seven Communists," but the exact details never much mattered to McCarthy, who always had in his hands a list too lengthy to cite in detail. In any case he had the front pages of the national press covering his sensational charges against Secretary of State Dean Acheson, against Ambassador Philip C. Jessup, against the well-loved Gen. George Marshall, and also against a bevy of highly informed China experts, including Owen Lattimore, who were alleged to be "selling us out" to Red China.

McCarthy was a tall and handsome man with a rich baritone. He had undergone an unhappy childhood with a father who beat his children; in youth he was much like a rebel without a cause scrambling toward security. To the rhetoric of the cold war—already well advanced—he added little but inflamed language, a theatrical passion, and the clichés of the patrioteer. He used deliberately bad manners toward those he "investigated" or accused, and this made him news. Moreover he often promised to follow up with more accusations, freely offered under the shield of Congressional immunity. It was widely rumored that J. Edgar Hoover passed on to him many unevaluated FBI reports which he exploited shamelessly. Much of the public which used to enjoy watching executions in ancient city squares now had them in the sensational afternoon press and by radio. Even the respected *New York Times* carried mindless repetitions of his unsubstantiated charges on its front page, half-truths, big lies and all. McCarthy became a national figure, bringing over conservatives and Democrats of the Catholic faith to his party in the elections of 1950 and 1952. When the Republicans had gained control of the Senate, McCarthy was equipped with his own permanent subcommittee which served as a council of inquisition.

The United States was the most piously capitalist nation in the world, with only a tiny fraction of dissenters who were not bent on profit seeking. Other countries in the West had more serious problems of radical disaffection, yet managed without inquisitions and denunciations. But it was America that became convulsed by its hunts for "subversives" and its purges of dangerous thoughts. The McCarthy committee hearings became a Roman circus. Mr. Thomas' compendious history shows, however, that very few card-carrying Communists were actually discovered holding federal jobs, and those were generally petty clerks whom McCarthy caused to be dismissed. There were always, to be sure, some professional spies on hand, for Soviet Russia and other governments, who were disguised as conservative, churchgoing businessmen, and therefore ignored by McCarthy. "McCarthyism" became a dictionary term defined as "accusation . . . unsupported by proof and based on doubtful, unsubstantiated evidence." After the famous purge of the State Department's Far Eastern division, McCarthy, weary of hunting small game, began to strike at the Eisenhower administration itself and at its Department of the Army, having found there a "subversive" dentist commissioned as a captain.

Lately Thomas' *When Even Angels Wept* is a competently written chronicle of McCarthy's national career, whose declared purpose is to provide an objective account of the man. It contains no new material other than that of earlier books and public records; the McCarthy private papers are still locked up and will be for years to come. Thomas does not overlook the Senator's notorious misdeeds as a public official and chairman of a Senatorial tribunal. But he seems at a loss to explain the whole McCarthy phenomenon: was he an American Hitler driving for the Presidency? Or merely an alcoholic neurotic? The biographer argues that the country was actually in a dilemma about its A-bomb and fear of "potential treachery," and McCarthy exploited that situation. But he himself had no ideology and no political program, "only his one issue, and that negative and limited." For Thomas, McCarthy was just a merry "buccaneer" of the political oceans, attacking and plundering whom he pleased, enjoying piracy for its own sake. As he was "amoral" by temperament, the biographer calls upon us to suspend moral judgment upon him. This is not much as interpretation.

I have always thought that if I ever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met up with such a buccaneer, I would not bother to look at both sides of the question, or condone his amorality, but would try to have him put out of action as quickly as possible, before he could plunder and sink me. At present the American people seem thoroughly tired of amoral characters in high public office who justify their crimes in the name of national security.

A briefer, though very effective account of McCarthy's doings and of his impact on our society is contained in Cedric Belfrage's *The American Inquisition: 1945-1960*. Belfrage, a cultivated English journalist and author who resided in the United States for fifteen years, became one of McCarthy's many victims. He suffered inquisition by the McCarthy committee, imprisonment in a federal jail, and finally deportation as an "undesirable alien." His crime was that he served as editor of *The National Guardian*, a weekly newspaper of the non-Communist Left, and also had no American citizenship papers. While making no pretense of being impartial, Belfrage describes the highlights of the McCarthy reign of terror year by year in the form of a diary, and effectively fills in the parts of the picture that Thomas has omitted. In a cool and ironical style, *The American Inquisition* gives an account of the benightedness of America by detailing the activities of men like McCarthy and his aides, Roy Cohn and David Schine. It was a time when libraries supported by the federal government were being raided, film and television were censored, schoolteachers were subjected to inquisitorial harassment, and the nation's whole educational system seemed to suffer a kind of paralysis. As Harvard's president James B. Conant protested, the country was endangered because the advancement of scientific knowledge was being retarded by the new breed of bigots. But to Joe McCarthy, Harvard meant only "a nest of Fifth Amendment Communists."

Belfrage's volume provides valuable documentation of the season of terror that beset many intellectual workers who found informers swarming around them. A great democratic society must base itself on the power of a free public opinion led by reasonable men, and our public opinion then seemed numb, dead. But hope also rises from Belfrage's account; he tells of those who more and more often defied McCarthy effectively, and on the ground of the First Amendment, as did Corliss Lamont and Harvey O'Connor, the former labor journalist and author—whose victory over the demagogue is not recorded in Thomas' book. Nor does Thomas include the story of how one of McCarthy's best paid informers, Matusow, did an about-face and made public confession of the perjuries he had uttered in denouncing persons he had never known—thus spreading confusion in McCarthy's camp. The stubborn Owen Lattimore, after a prolonged court contest, won his case against the government. Finally, McCarthy brought the whole United States Army down upon him over the affair of that Communist dentist who had simply been caring for soldiers' teeth. McCarthy had the poor judgment to offer gross insults to high army officers whom he called on the carpet and who threat-

Four Poems by Juan Soto Galan

TRANSLATED FROM THE SPANISH BY EMILE CAPOUYA

DEEP SONG

"Quisiera yo renegar este mundo por entero"

Well, we pulled out of Cadiz, we struck the deep swell,
that fool captain taking the seas abeam
as if he meant to roll the sticks out of her
or maybe shift the case-goods in her hold.
I said, fine! There goes Juan Soto. Why not?
The deep song says, "I would renounce this world,
oh, utterly." This world. Two gulps of salt
will cancel out this world, oh, utterly.
Let her go. Let the company collect
on the insurance.
But the shrouds held,
the dunnage held the case-goods and the deckload.
I'm still around, and hauling someone's cargo
on the ocean. Hauling Juan Soto,
a man I never liked, never trusted.

CONVERSATION IN TWO LANGUAGES

He: For the love of woman
I made these poems.

She: I take them,
for the love of man.
But I'd rather have money or love.

THE SAILOR'S MISTAKE

One look, and the white
breasts of the gulls afloat
I took for the foam-
flecks of a force-3 breeze.

Long I thought the woman true
to me, who was being true
to her own nature.

The first mistake
no landsman would make.
The other
everyman and his brother.

POEM

Smooth brow and shining hair—
your young ignorance is as taking
as the successful liar
who means every word of it.

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ened to resign from the service. At length, President Eisenhower and the Republican Party elders, following the November 1954 elections, decided to confront McCarthy and squash him. With his trial and public disgrace he was as if cast into outer darkness. A little more than two years later, still in Washington, and drinking unwisely, he died at the age of 48. His colleagues in the Senate had read the lesson the man provided: the politics of a nation of 200 million people was too serious a business to be entrusted to amoral buccaneers. We are now learning the same lesson over again. □

THEATRE

HAROLD CLURMAN

The shortcomings of Ron Milner's *What the Wine-sellers Buy* and of Brian Friel's *The Freedom of the City* are readily discernible, but I am favorably inclined toward both. *What the Wine-sellers Buy* (Vivian Beaumont Theatre) is the story of Steve Carlton, a black youth growing up in the ghetto of Detroit. His mother, to whom he is devoted, is a poor and sickly widow. The poverty which surrounds him and a general atmosphere of corruption tempt him to crime. Rico, a pimp who rooms in the Carlton flat, persuades Steve to work for him. Unless he does so, Rico insists, there is very little chance that he will ever rise above the impoverishment of most of the others in the neighborhood: he will never be of help to his mother, etc. Rico's argument is so forceful and he himself is so striking an example of self-assurance and showy success that he gets Steve to the point of turning his girl friend Mae into a whore, from whose "work" Steve will prosper. In the end Steve rebels against Rico's scheme and hazards an honest life of perhaps continued hardship.

This outline sketches a rather conventional melodrama; even as such, it has its flaws. It is difficult to believe, for instance, that Rico would be so insistent on choosing Steve's girl, Mae, as the instrument for debasing and enslaving Steve. It also seems improbable that an entirely upright person like Mae, who is deeply in love with Steve, would very nearly succumb to his plan.

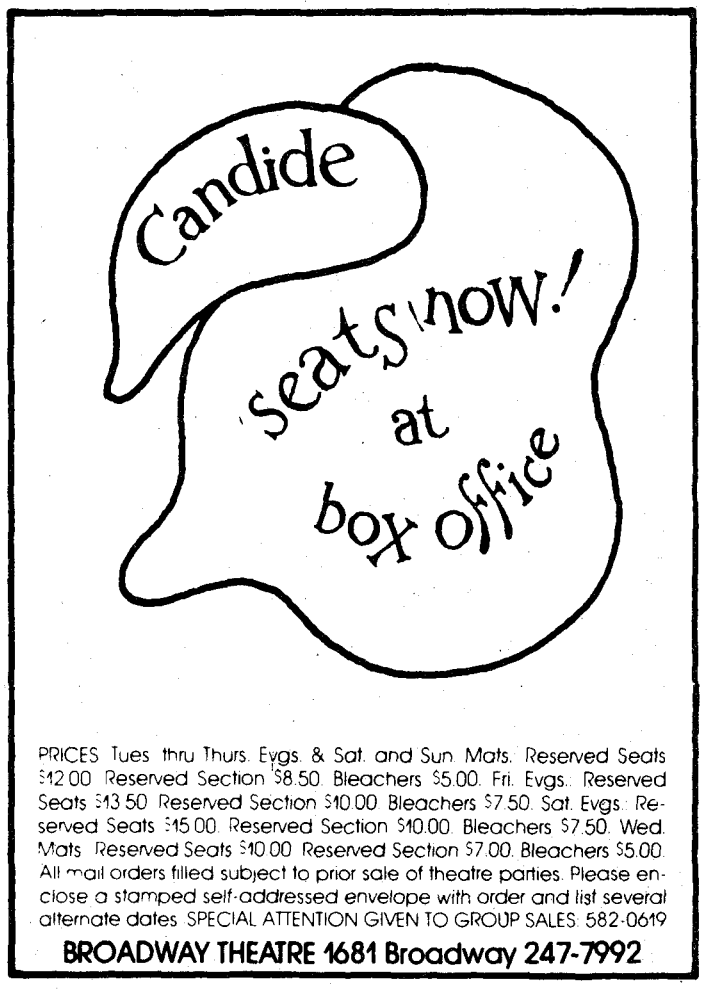
The strength and value of the play are not obviated by such objections. What impresses is the authenticity of the details; the teeming life of the environment. There is misery, corruption, crime, vitality, struggle, love and dogged honor withal. The difficulty of parents in keeping their offspring "straight," when they (the parents) are too harassed by earning a living to communicate with their children except as censorious moralizers, is made poignantly evident. A contracting carpenter who serves as a local deacon is shown as a kindly, rugged, hardheaded force to dam the threatening tides of evil. A robustly intelligent schoolteacher is also a factor in preserving moral health. Mae's tortured and embattled but by no means prissy purity serves as an earnest of eventual sanity amid the powerful elements of destructiveness.

The play's realism is primitive but it is nevertheless convincing. There is a certain rank humor in it, as well as factual verisimilitude. Above all, the actors bring an enormously engaging vibrancy to the proceedings which make some of the quibbles and "aesthetic" misgivings appear paltry.

The performances, under Michael Schultz's direction, are all excellent. I was especially moved by Loretta Greene as Mae; Glynn Turman, though at times he points his intention too sharply, is also touching. Gloria Edwards as the schoolteacher is a model of strength in simplicity, as is Sonny Jim Gaines as the deacon. Rico, the flashiest role in the play, is very effectively projected by Dick A. Williams.

One hopes that black playwrights will soon come to extend the area of their observations into milieux beyond the ghettos and explore their ethnic problems in the larger context of our civilization in general. What they experience and suffer is in considerable measure what we all experience and suffer. Meanwhile, such plays as *What the Wine-sellers Buy* have their distinct merits, of which the fact that they are vivid theatre is not the least.

Brian Friel's *The Freedom of the City* is about the troubles in Londonderry, Northern Ireland, during 1970. It is marred by several narrative knotholes. Two men, Skinner and Michael, and a woman, Lily, are marchers in a civil rights demonstration. The police disperse the march; the three people named, half asphyxiated by tear gas, run for refuge to a nearby empty building, which they don't at first recognize is the Guildhall, the mayor's office. How, one asks oneself, does it happen that the side gate is open in the temporarily unoccupied place? Why don't the police immediately follow the three there to make an arrest?



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And how do the police (and the army, when called in great force) come to believe, suspect or imagine that there are many more than three *armed* persons hidden there? The playwright neglects to answer any of these questions.

A defect in structure due to the breaking up of the main story line by scenes showing the official world's reaction to what is occurring to the three in the Guildhall, and what is said after their death, is considered by many an element damaging to the play's effectiveness. But the author is not aiming at suspense nor does he desire his play to be "thrilling." He is setting forth a simple stream of events which have a meaning he wishes us to contemplate in a quasi-Brechtian mode.

It may also be objected that, given the play's subject matter, its tone is much too mild. On the other hand, it is possible that the low key Friel employs may be intended to undercut the accusations of mere "propaganda" that often are leveled at such plays. He avoids the specific political issues involved. What he shows is the innocence of most of the people hurt—in this case, killed—in such social struggles, and, more important, what moves them to take part in them when they are ignorant of what is basically at stake.

To begin with, there is ignominious poverty—miserable wages, unemployment and general wretchedness. Lily, for instance, being a good Catholic, has borne eleven children. One of them is what she calls a "mongol," and though she knows that "marching" will not cure her child, her pain over this and all the attendant circumstances of her life motivates her sorry protest. Michael is an inoffensive blighter who believes that simply joining in an equal rights parade, though the authorities have declared it illegal, will help settle everything. Skinner, the third of the doomed trio, tells Michael that his credulity and the very weakness of his attitude is one of the reasons for the persistence of oppression. Skinner himself, through the cynicism engendered by prolonged despair, is almost ready to die: he has become set in a posture of anarchistic mockery.

The play's importance for me is that it deals with an immediate situation typical (or symbolic) of much more than itself. Its very lack of sensational dramatics or clamorous partisanship lends it a peculiar pathos. Such plays are perhaps more telling and useful at present than fashionable declarations of cosmic "absurdity." *The Freedom of the City* is decently written with quiet touches of humor which make it the more affecting.

It is very well acted by Kate Reid, whose rasping perkiness adds savor to the genuineness of her feelings. Lenny Baker, too, is very good in his tart expression of unavailing defiance.

What struck me most forcibly on this occasion is the folly of producing such a play on Broadway, where audiences are asked to pay $8 for an orchestra seat and $3 for the balcony. For Broadway success, it is not enough that a play be good or even one that may be respected. Have none of the producers taken note of the fact that Beckett, Brecht, Pinter, Pirandello, Strindberg, Shaw, Ibsen have not proved profitably popular on Broadway for at least twenty years? Broadway is a special enclave: the theatre's greater domain lies outside and beyond it. □

FIRST SNOW

After the long red warning of maples
it is still a surprise attack, the hordes
sweeping in at night, and at dawn
riding the shadows
as we lie in the shelter of blankets,
in the summer blood of our loving,
and feel the old terror of Time
freezing the land.

The outer walls are abandoned,
the same every year, the flowers
frozen; we dig in behind the storm windows,
remembering noon in the hazy
shimmer of corn fields,
remembering noon with aspens
and far-away bells—
but each year the losses: the old ones,
limping off to their dim consummation,
tell us fear is a small brown mouse
come in from the cold to chew
at the belly nerves,
and it touches us now, the truth
of the whole gray assault: it is war
to the ultimate cold
and we lie in the shelter of blankets,
in the summer blood of our loving,
and feel the old terror of Time
freezing the land.

Philip Appleman

MUSIC

RICHARD DYER

When my students would complain about the difficulties and unfamiliarities of what they were reading, I used to try to still them by saying that there are two kinds of art: the kind that steadies us by telling us things we already know and believe, and the kind that forces us into attention and growth by taking us where we haven't been before. In time some works change categories—the poems of Tennyson, oddly, have moved from the first to the second—while the greatest collapse them altogether.

Several hearings of Sir Michael Tippett's Third Symphony in its American première last month with the Boston Symphony Orchestra under Colin Davis made me realize even more clearly (and ashamedly) how many of the things one says to students are oversimplifications. For music like this tells us things we didn't know we knew, affirms beliefs we hadn't been sure we could hold.

Tippett himself has been articulate about this peculiar aspect of his work. In a radio talk years ago he remarked, "Beautifully shaped dishes from thousands of years ago appear as fresh as when they left the hand of the potter, and certain music can sound as though it must always have been there." Listening to this new music was like meeting for the first time someone with whom you immediately feel you are resuming a conversation long interrupted. Like such a friend, the music, even on extended acquaintance, retains its capacity to surprise, delight, even disturb—all in

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ways perfectly coherent with itself. Those hours in Symphony Hall, and with the score, the tape of the broadcast and the new Philips recording (6500 662), conveyed the rarest kind of pleasure—finding something new that seems important now and will be important forever, an essential aspect of the shared experience of that part of the human race that responds to music. It was no arrogance of Tippett to write, "[I] know that my art might form a tiny fragment of the great mirror, in which we see our unconscious longings reflected as images that have power to change us whither we must go."

The new symphony (first performed by the London Symphony Orchestra under Davis in June 1972) is, like all of Tippett's major works, a piece about integration and reconciliation. This becomes verbally explicit in the four songs the soprano sings at the end of the work; the poems (Tippett's own) are about the dependencies of infancy, about the glories of the adult body, about bodies misshapen and misdirected, about grief and evil and the compassionate, healing, remaking power of love, "Staring with those startled eyes at what we are."

But in a sense the listener doesn't need this verbal assistance—though he would hardly part with those songs—because it is part of what has already become clear in the music. The symphony is in two long sections, each built of two contrasting parts. The first part begins with a series of alternations, of increasing length, between what Tippett calls "Arrests" and "Movements," the first a "compression of energy," mostly in violent eruptions of brass and percussion in bounding rhythms; the second an "explosion of energy," mostly in busy figurations in the strings, alternately skittering and swooping. Finally the two combine, resolve, in an overwhelming climax, out of which steal contrasting musics of calm, one a motionless undulation of strings, winds and tuned percussion that Tippett has compared to a "windless night sky," the other a slow surging of massed strings, drawn up from the depths of earth or sea, each finally receding again into meaningful silence.

The second part opens with the playful juxtaposition and constantly altering superimposition of five brief, inventive, varied ideas, interrupted at last by that raucous, catastrophic D-minor music that jolts us out of the slow movement in Beethoven's Ninth Symphony. (Tippett began generating this work after a conversation with Colin Davis following a performance of the Beethoven. Davis had said as he came off the platform, "What does this mean, Michael? Does it mean anything to *us*?") Then follow the four songs, set in Tippett's personal transformation of the blues, that musical mode which transmutes pain through endurance into a kind of exaltation. That shoreless music of the end of the first part reappears in an astounding context, as accompaniment to the soloist's troubling questions, "And did my brother die of frost-bite in the camp? And was my sister charred to cinders in the oven?" (She goes on to admit: "My sibling was the torturer. He takes his place!") Then, after the soloist in vaulting lines intones her paean to the precarious power of love, there follow the brass arrests and string movements, reduced to single, alternating chords, now in perfect equilibrium, a question answered in the asking.

This is music of great difficulty, great daring, great resource, and the performance of Davis, the orchestra, and Heather Harper, the soprano soloist, was triumphant. The recording uses the London Symphony and that able performance by comparison seems much less assured and incisive, not so abrasive, not as soaring.

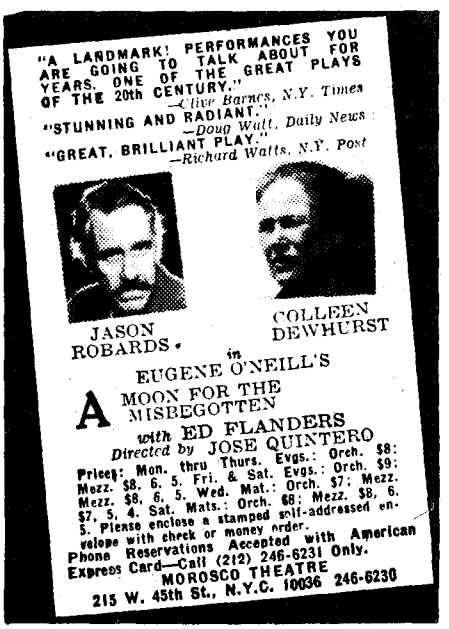
Also from Philips comes the first recording of Tippett's third opera, *The Knot Garden*, first performed, with this cast, at Covent Garden in 1971 (6700 063; two records). This work is difficult even for those, like me, who think Tippett's *The Midsummer Marriage* is one of the greatest operas in (or, in this country, out) of the repertory—let alone for those whose chief preoccupation is with who will be next season's Violetta. That earlier opera showed a way to personal fulfillment and love, in music of an astonishing proliferation of lyric invention.

Here Tippett has widened his scope and narrowed his means. Three pairs of characters—each with counterparts in *The Tempest*—meet and interact, fight, develop and grow, in the interstices of a garden and through the manipulations of Mangus, an analyst, Tippett's equivalent for Prospero, "man of power, / Who put them all to rights." Thea and Faber might be Mark and Jenifer of *The Midsummer Marriage*, grown older, fallen out of the mutual bed apart, their lessons unlearned. The others—a black, a freedom fighter twisted by the torturers, a virgin, a homosexual composer—lead us into many of today's more complicated and complicating personal and social dilemmas. They are all resolved (though there are no "answers") in music always generous but much more condensed, compact than that in the earlier opera. This whole opera about multiple perilous rebirths is not as long as the prologue and first act of *Die Götterdämmerung*.

The orchestral writing is both spare and dense, full of the blaring colors of modern percussion and electronic instruments. The writing for the singers is unconventional, but thoroughly and gratifyingly vocal; no one has moved voices in quite this way before, but this is one of the ways they were *meant* to move. Early on, the utterances are fragmentary, jagged—at one point in the first act a tableau "cannot become a vocal ensemble because the tensions are not ready for such expression." The first significant ensemble, at the end of the first act, is a blues. The second act proceeds through a series of confrontation duets; at the end there is a quintet and a duet full of accomplishment and promise, but also full of independence and gear-grinding grit ("If for a timid moment / We submit to love / Exit from the inner cage / Turn each to each to all. . .").

Along the way there is an intensely moving quotation of *We Shall Overcome* that forces its way through the orchestral texture to the vocal surface, and a stanza of Schubert's *Die liebe Farbe*, in a glistening setting for horns, counterbassoon, bass, flute and, later, a triplet xylophone figuration, that is not an imposition on a known experience but an extension, an enhancement, of it.

It is usual to praise equally all performers of difficult contemporary music simply because they've put in the effort which others did not. But this performance—again surely and sympathetically conducted by Colin Davis—shows us there are differences in skill: the men, throughout, are inferior in every way to the women, Yvonne Minton, Jill Gomez and especially the remarkable Josephine Barstow who sings with some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of the Zeani rouge on her tone and with a comparable intensity, though with an intellectual comprehension that was no part of Zeani's artistry.

Tippett, then, is a great artist in the full Renaissance sense of one who legislates not simply for himself but, through a constant and disciplined self-exploration, for all of us. For him, as for Keats, the past is not only a burden (how can we still make those large affirmations? how can we use, not be paralyzed by, what we know?) but a challenge and an illuminating beacon. I love listening to his music, for it is abundant and life-enhancing—a sign, really, that after all, there is still some health left in us. □

ART

LAWRENCE ALLOWAY

In the fall of 1971 two petitions were delivered to the Whitney Museum of American Art, both calling for inclusion of Alice Neel in the museum's annual, now bi-annual, exhibition. One petition originated at the Figurative Alliance, a broadly based, loosely organized coalition of realists; the other came from women artists whose signatures were collected at various women's groups. Neel has a special status among women artists: she is a symbol of persistent work and insufficient recognition. She has exhibited honorably and diversely since the 1930s, but without receiving an acknowledgment commensurate with her record and her worth. (It is typical that she has no entry in a so-called *Directory of Contemporary Artists*, edited by Paul Cummings as recently as 1971.) The Whitney responded to the petitions, while denying that it was doing so, and in consequence we can now see a retrospective of her work (until March 17).

Before discussing Neel's admirable paintings in some detail, I want to consider the show in the kind of political terms that forced the museum's hand. She is represented by nearly sixty paintings on the second floor, in a show organized by Elke Solomon, the associate curator for Prints and Drawings. Neel is showing only paintings. The question arises, why did she not receive the attention of a senior curator accustomed to dealing with paintings? Neither James Monte nor Marcia Tucker, just promoted to full curatorship in place of departing curator Robert Doty, took the assignment. To judge from Solomon's other shows she is not particularly attuned to realism. If she had given us a marvelous show, one would have taken pleasure in a wrong righted and in, so to say, the understudy going on so successfully, but we are denied that reaction. It is not the fault of Neel's work, but the show looks terrible, badly hung and incoherently selected.

The catalogue lists fifty-eight pictures, twenty of them from before 1958, nine from 1959-64 and twenty-nine after 1965. Partly on the basis of this show, but also from other exhibitions, the chronology suggests that the works for which Neel is admired and indeed celebrated were painted in the last ten years. Solomon gives the most attention to this period, but I would have liked to see an even more solid representation. The years 1959-64 seem to amount to a transitional phase in which Neel's later supple style gradually animates the stiff, flat early work. The show concentrates on her portraits, excluding landscapes, which are often interesting in the early work, so that we get too many early works and sampled lopsidedly in any case.

As a portrait painter Neel deals with single figures or pairs and in every instance she probes for the unique lineaments: physique and personality are joined in her best works. Gesture illuminates character, posture is permeated with psyche. She emphasizes eyes and hands, usually subject to a canon of restraint in portraiture, and handles them in a way that relates to the way in which we watch people when we first meet. Our reading of other people often depends on our reaction to their eyes, and our sense of contact has much to do with "what people do with their hands." This sense of personal contact is preserved in Neel's tough presences, pungently evoked. Derived from this sense of relationship is the way in which she emphasizes heads, sometimes at the expense of a fully articulated body. In conversations, the head, where the mouth is, where the brain is, is a natural focus of concentration and she often characterizes her sitters by this kind of cephalic looming.

Her emotional emphasis on the head does not change the fact that she is absolutely a realist. Her early works tend to be schematic, with a persistent flatness that is sometimes shrewdly post-Impressionist (probably out of Gauguin originally), sometimes naive and primitive. Then, in the transitional period, the flatness is opposed: the surfaces of forms become bulky and their boundaries are seen to grow and ripen. Referring to one of the early works, "Child Birth" (1939), Solomon supposes that "the skewed spatial treatment and the figural gestures [are] marked by cubist devices." Not so. The splayed body probably derives from Max Beckman, both in its linkage of anatomical distortion and human suffering and in the supple contour that rounds off the modeled body. Or take "Randall in Extremis" (1959), in which the ripple of paint is equivalent to a body tremor; here one thinks of Soutine.

Beckman, Soutine (and one could add Kokoschka): what these second-generation Expressionists had in common was the purpose of reconciling expressive distortion with a full sense of the body's corporeality. The first generation of Expressionists had flattened and fractured the body; the second returned to a Renaissance-like somatic fullness of body, combined with the stricken insights of the first generation. In the case of Neel, her early work is the equivalent of that first generation, whereas her mature work takes up the problems of the second. That is why I think Solomon was poorly advised to show so much early work; Neel's real victories come later. Among the paintings in which psychological acuity and physical reality interpenetrate with amazing verve are "John Perreault" and "Vera Beckerhoff" (both 1972), and "Robbie Tillotsen" (1973). Such works speak for Neel in a way that her curater has not.

The catalogue is entirely inadequate: 8 printed pages and printing on the cover: one illustration in color and six small black and whites. A 2-page text by Solomon gets nowhere and indicates no grasp of the actual course of Neel's development. One might compare this meager catalogue with that provided in London a few years ago by the Whitechapel Art Gallery (hardly a prosperous institution) on the occasion of a Betty Parsons retrospective: 12 pages of text, one color illustration and ten black and whites, on a much larger page size. The point of comparison is that Alice Neel and Betty Parsons are of the same age, that of the century. □

POETIC CLOSURE

a bar on the door and a hole
where the key should be
the crowd at the table
lay stones on their plates
through the doused window
blue tiles and the glaze
of ten suns
in which a temple has burst

at swim in the room
ten blades in small compass
circling the stones
haloes clipped from books
laurel-wreath each edge
the sun is building new temples
from stones fitted
so a blade can slip easily between

Brian Swann

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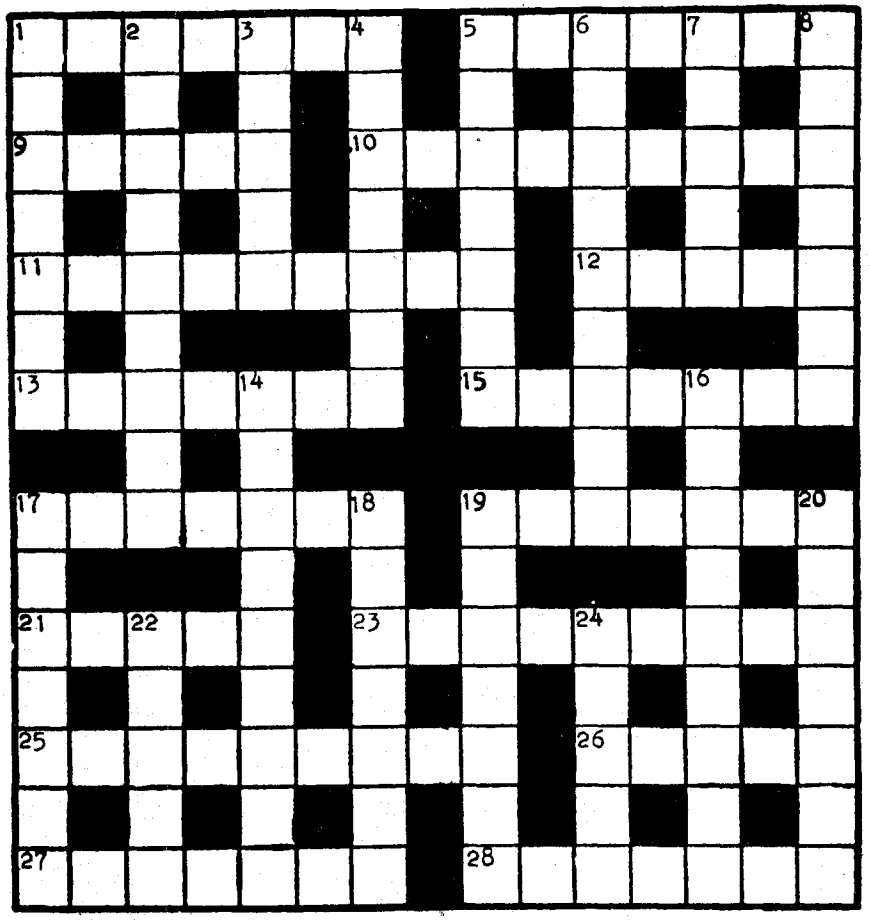
FRANK W. LEWIS



ACROSS

1 and 5 across Rescue a swimmer, perhaps, though descriptive of one with environmental problems, (4,3,2,5)
9 Speak, alternatively brew tea. (5)
10 Bone found in fuel and dyestuff. (9)
11 Part of the welfare program of Potsdam, perhaps. (4,5)
12 But not every trunk has such twisted roots! (5)
13 Jack Horner would have difficulty getting ensconced in such a building. (7)
15 Free shelter around it, associated with Neptune. (7)
17 At least they might if mechanical rabbits —provided they're purchased here. (7)
19 It might be a moment half the school rates a poor zero. (7)
21 It's a waste of falsetto, without any argument! (5)
23 Is nothing superior to anything such? (5,4)
25 What is frequently cut before the thread of the story might serve as a burial ground. (5,4)
26 Old, old maids aren't so often! (5)
27 Pushes forward arterial highways, perhaps. (7)
28 Does it provide little drops of water, or little drops of paint? (7)

DOWN

1 and 17 down At first 1 across is supposed to provide the idea. (4,3,7)
2 A ship should be so much like an old-fashioned naval notability. (9)
3 The sort of boy that needs two points, but takes orders. (5)
4 An animal in a different coat is probably intended to display one's touch. (7)
5 Nothing but a couple of hundred one put back of the head. (7)
6 A 24 might not intend to get in so deep. (5-4)
7 The Irish, without his make-up, might be belong to them. (5)
8 and 20 Evidently the engineer's helper doesn't work, though the chair might do so. (4,3,2,5)
14 They shouldn't say nothing is further from their thoughts! (9)
16 Seriously, it's a small home, certainly not in the latest fashion. (9)
17 See 1 down
18 A little shot, being in broken sleep, hence they're a little rocky. (7)
19 Like climbing instruments of old, as one acknowledges. (7)
20 See 8 down
22 An aptitude for arranging anything but a quiet den! (5)
24 Not a low association, to boot! (5)

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ACROSS: 1 Dragonflies; 9 and 10 Baritones; 11, 25 and 27 Cartridge belt; 12 Prevail; 13 Fillies; 15 Eyesight; 16 Grants; 18 Massif; 21 Lollipop; 24 Bearers; 26 Grounds; 28 Stud; 29 Spell; 30 Airs; 31 Cement mixer. DOWN: 2 Reinvests; 3 Gatling; 4, 8 and 14 Nun's Priest's Tale; 5 Listing; 6 Excel; 7 Fairly; 17 Acidulate; 19 Agents; 20 Foresee; 22 Lorelei; 23 Orders.

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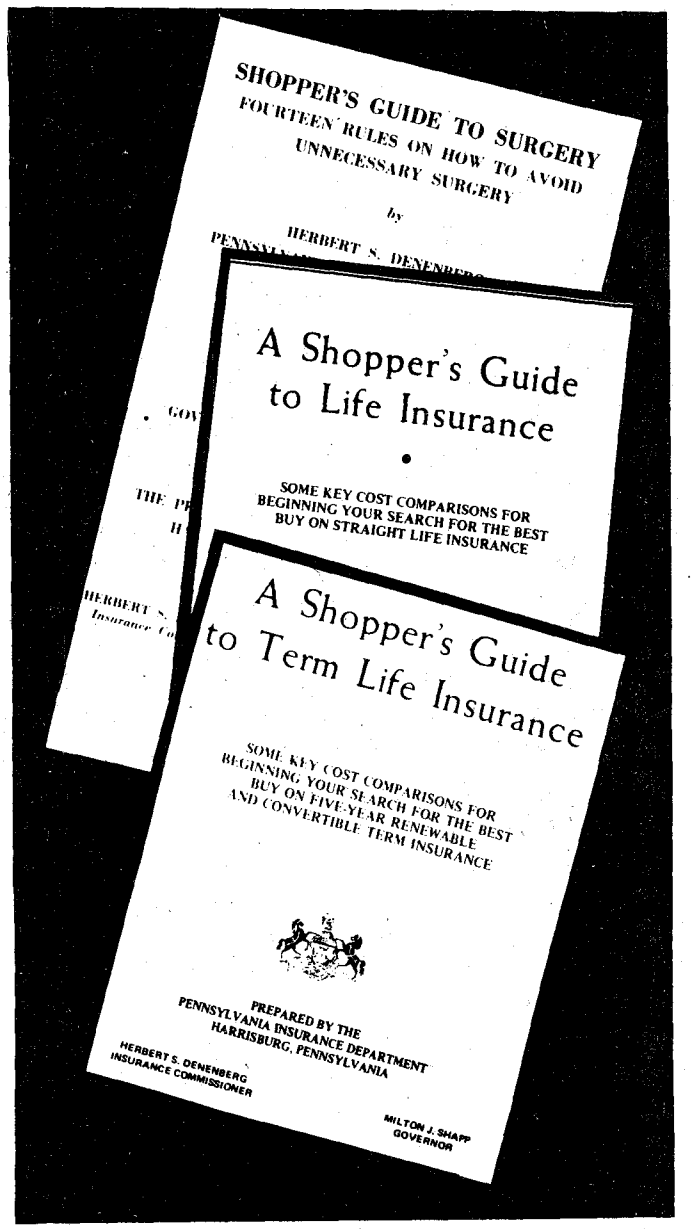
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